



Council Meeting Agenda  
September 12, 2022  
6:00PM

---

1. Call to Order ..... Mayor Ed Hooks
2. Invocation..... Pastor Stu Johnston, Grace Reformed Baptist Church
3. Public Comments ..... Mayor
4. Consent Agenda ..... Mayor
  - a. Approval of Minutes
    - i. July 11, 2022 Regular Meeting
    - ii. August 1, 2022 Regular Meeting
  - b. Petition for Voluntary Contiguous Annexation- Eleventh Street Apartments
  - c. FY22 Disposal of Assets Listing
  - d. Budget Amendment- FY22 Rollovers and WRRF Expansion Land Purchase
  - e. Final Plat Reapproval- Bowman Village Ph. N2
  - f. Adopting Resolution seeking AIA grant for the assessment of the 5<sup>th</sup> Street Sewershed and CWSRF funding loan assistance for the WRRF sewer outfall to Holt Street
5. Public Hearings-
  - a. Ordinance to Extend the Corporate Limits- Summit Church..... Lawson Brown, City Attorney
  - b. Ordinance to Extend the Corporate Limits- Sandra Clark..... Mr. Brown
  - c. Conditional Rezoning- West Ten Road- Williams Development ..... Ashley Ownbey, Interim Development Director
6. Memorandum of Understanding Agreement with Alamance Burlington School System for new School Resource Officer Positions and Budget Ordinance Amendment..... Terrence Caldwell, Police Chief  
Daphna Schwartz, Finance Officer
7. Voluntary Annexation Agreement- 225 Honeysuckle Street..... Mr. Brown
8. Main Street Memorandum of Understanding between City of Mebane and Downtown Mebane Development Corporation (DMDC) Inc..... Lawson Brown, City Attorney  
Preston Mitchell, Assistant City Manager  
Dan Shannon, DMDC President
9. Informational Item- US-70 Multimodal Corridor Study..... Ms. Ownbey
10. Adjournment ..... Mayor



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, July 11, 2022 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street.

Councilmembers Present:

Mayor Pro-Tem Tim Bradley  
Councilmember Katie Burkholder  
Councilmember Sean Ewing  
Councilmember Montrena Hadley  
Councilmember Jonathan White

Also Present:

Chris Rollins, City Manager  
Preston Mitchell, Assistant City Manager  
Lawson Brown, City Attorney  
Stephanie Shaw, City Clerk  
Ashley Ownbey, Interim Development Director  
Daphna Schwartz, Finance Director  
Audrey Vogel, Planner  
Franz Holt, City Engineer  
Chuck Smith, Public Works Director

Councilmember Absent:

Mayor Ed Hooks

Mayor Pro-Tem Bradley called the meeting to order. Pastor Jeremy Pollard of Summit Church gave the invocation.

During the Public Comment Period, Mary McFarland, 307 Wilba Road, expressed her desire to see the pocket park on N. First Street be completed.

Gloria Bradsher, 1541 N. NC Hwy 119, questioned the process of having power turned on at her home after the building inspector has completed the final inspection. Mr. Rollins explained that after a final inspection, it is turned over to Duke Energy, so she would need to call Duke Energy. He then requested her contact information and stated that he would follow up to ensure the issue is resolved.

Mr. Ewing asked Mayor Pro-Tem Bradley if comments will be allowed *Item 7- Mebane Main Street Program of Directors Ex officio appointments (continued from the June 6, 2022 meeting)*. Mayor Pro-Tem Bradley replied that Item 7 is not listed for public comments, however if someone wants to make a comment they can.

Mayor Pro-Tem Bradley announced that the City was awarded the Government's Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2021. He commended Finance Director Daphna Schwartz and her staff in the Finance Department for their hard work.

Mayor Pro-Tem Bradley also commended all City staff involved in making the July 4<sup>th</sup> event successful, those departments being Recreation and Parks, Police, Fire and Public Works.

Mayor Pro-Tem Bradley gave an overview of the Consent Agenda:

- a. Approval of Minutes- June 6, 2022 Regular Meeting
- b. Final Plat Reapproval- Cambridge Park, Ph. 2C
- c. Petition for Voluntary Contiguous Annexation- Stagecoach Corner
- d. Financing Proposal for Rolling Stock
- e. Micro-purchase Resolution

Mr. Ewing made a motion, seconded by Ms. Burkholder, to approve the Consent Agenda as presented. The motion carried unanimously.

**Item c.**

RESOLUTION FIXING DATE OF PUBLIC HEARING ON

QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

**WHEREAS**, a petition requesting annexation of the area described herein has been received; and

**WHEREAS**, certification by the City Clerk as to the sufficiency of the petition has been made;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Glendel Stephenson Municipal Building at 6:00 p.m. on August 1, 2022.

Section 2. The area proposed for annexation is described as follows:

BEGINNING AT A COMPUTED POINT IN THE SOUTHERN R/W LINE OF S.R. 1996, A CORNER WITH TERESA DALLAS, THENCE WITH TERESA DALLAS N04°33'12"W A DISTANCE OF 30.15' TO A COMPUTED POINT IN THE CENTERLINE OF S.R. 1996; THENCE WITH CENTERLINE OF S.R. 1996 S89°06'42"E A DISTANCE OF 343.74' TO A COMPUTED POINT; THENCE S33°45'17"E A DISTANCE OF 36.65' TO A COMPUTED POINT IN THE SOUTHERN R/W OF SAID S.R. 1996; THENCE WITH SAID R/W S89°12'04"E A DISTANCE OF 79.70' TO A COMPUTED POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 27.07', WITH A RADIUS OF 137.61', WITH A CHORD BEARING OF S83°29'06"E, WITH A CHORD LENGTH OF 27.03', TO A COMPUTED POINT THE INTERSECTION OF THE SOUTHERN R/W OF S.R. 1996 AND THE WESTERN R/W OF S.R. 1306; THENCE WITH THE WESTERN R/W OF S.R. 1306 N55°34'25" E A DISTANCE OF 73.60' TO A COMPUTED POINT THE INTERSECTION WITH NORTHERN R/W OF S.R. 1996; THENCE WITH SAID NORTHERN R/W OF S.R. 1996 A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 90.03', WITH A RADIUS OF 197.86', WITH A CHORD BEARING OF N 76°04'33" W, WITH A CHORD LENGTH OF 89.26' TO A COMPUTED POINT; THENCE N89°12'04"W A DISTANCE OF 310.38' TO A COMPUTED POINT; THENCE N10°54'14"W 635.90' TO A 1/2"EIP IN THE WESTERN LINE OF LEBANON ROAD 3, LLC, THE SOUTHEAST CORNER OF MILL CREEK DEVELOPMENT PROPERTY (1/2"EIP ON THIS LINE 1.02' FROM POINT IN THE NORTHERN R/W LINE OF SAID S.R. 1996); THENCE WITH SAID MILL CREEK DEVELOPMENT N89°32'30"W A DISTANCE OF 1149.33' TO A 1/2"EIP IN THE EASTERN R/W OF S.R. 2016 (N. NINTH STREET); THENCE ALONG SAID R/W S09°53'21"W A DISTANCE OF 109.79' TO A 1/2"EIP; THENCE CONTINUING WITH SAID R/W A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 148.23', WITH A RADIUS OF 1648.39', WITH A CHORD BEARING OF S 07°18'47" W, WITH A CHORD LENGTH OF 148.18', TO A 1/2"EIP THE NORTHWEST CORNER OF LOT 1 PB. 72 P. 74; THENCE WITH SAID LOT 1 S85°14'09"E A DISTANCE OF 437.18' TO A 1/2"EIP; THENCE CONTINUING WITH SAID LOT 1 AND CROSSING R/W OF S.R. 1996 S00°38'41"W A TOTAL DISTANCE OF 332.20' TO A COMPUTED POINT IN THE SOUTHERN R/W OF S.R. 1996 (A 1/2"EIP 60.00' FROM THIS CORNER IN THE NORTHERN R/W LINE OF SAID S.R. 1996; THENCE WITH SOUTHERN R/W OF S.R. 1996 S89°20'47"E A DISTANCE OF 875.43' TO A COMPUTED POINT; WHICH IS THE PLACE POINT OF BEGINNING, HAVING AN AREA OF 14.48 ACRES 0.023 SQ. MILES AND BEING ALL OF TOTAL ANNEXATION AREA AS SHOWN ON PLAT OF SURVEY ENTITLED "FINAL PLAT: CITY OF MEBANE CORPORATE LIMITS EXTENSION CONTIGUOUS VOLUNTARY ANNEXATION" PREPARED BY R.S. JONES & ASSOCIATES, INC. DATED APRIL 14TH 2022

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

\_\_\_\_\_  
Ed Hooks, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie W. Shaw, City Clerk

Item d.

**Resolution Authorizing Financing Terms for the Installment Purchasing Contract  
with Truist Bank for the Purchase of Rolling Stock**

**WHEREAS:** The City of Mebane ("Borrower") has previously determined to undertake a project for the financing of vehicles and equipment (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated July 1, 2022. The amount financed shall not exceed \$916,006.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.04%, and the financing

term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of July, 2022

By: \_\_\_\_\_ By: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

**Item e.**

**RESOLUTION OF CITY COUNCIL OF CITY OF MEBANE  
AUTHORIZING INCREASE IN MICRO-PURCHASE THRESHOLD**

**WHEREAS**, from time to time, the City of Mebane purchases goods and services using federal funding subject to the procurement standards in 2 C.F.R. Part 200, Subpart D; and

**WHEREAS**, the City's procurement of such goods and services is subject to The City of Mebane Purchasing & Requisitions Policy, and the Uniform Guidance Purchasing Policy as most recently amended in December 2013 and October 4, 2021 respectively; and

**WHEREAS**, the City is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1; and

**WHEREAS**, pursuant to 2 C.F.R. 200.320(a)(1)(ii), a non-Federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-Federal entity files accordingly; and

**WHEREAS**, pursuant to 2 C.F.R. 200.320(a)(1)(iii), a non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures; and

**WHEREAS**, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-Federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a Federal awarding agency and auditors in accordance with 2 C.F.R. § 200.334; and



**WHEREAS**, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a “higher threshold consistent with State law”; and

**WHEREAS**, G.S. 143-129(a) and G.S. 143-131(a) require the City of Mebane to conduct a competitive bidding process for the purchase of (1) “apparatus, supplies, materials, or equipment” where the cost of such purchase is equal to or greater than \$30,000, and (2) “construction or repair work” where the cost of such purchase is greater than or equal to \$30,000; and

**WHEREAS**, North Carolina law does not require a unit of local government to competitively bid for purchase of services other than services subject to the qualifications-based selection process set forth in Article 3D of Chapter 143 of the North Carolina General Statutes (the “Mini-Brooks Act”); and

**WHEREAS**, G.S. 143-64.32 permits units of local government to exercise, in writing, an exemption to the qualifications-based selection process for services subject to the Mini-Brooks Act for particular projects where the aggregate cost of such services do not exceed \$50,000; and

**WHEREAS**, pursuant to 2 C.F.R. 200.320(a)(1)(iv), the City Council of the City of Mebane now desires to adopt higher micro-purchase thresholds than those identified in 48 C.F.R. § 2.101.

**NOW THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF MEBANE:**

1. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of North Carolina law, the City of Mebane hereby self-certifies the following micro-purchase thresholds, each of which is a “higher threshold consistent with State law” under 2 C.F.R. § 200.320(a)(1)(iv)(C) for the reasons set forth in the recitals to this resolution:

- A. \$30,000, for the purchase of “apparatus, supplies, materials, or equipment”; and
- B. \$30,000, for the purchase of “construction or repair work”; and
- C. \$50,000, for the purchase of services not subject to competitive bidding under North Carolina law; and
- D. \$50,000, for the purchase of services subject to the qualifications-based selection process in the Mini-Brooks Act; provided that such threshold shall apply to a contract only if the Unit has exercised an exemption to the Mini-Brooks Act, in writing, for a particular project pursuant to G.S. 143-64.32. If the exemption is not authorized, the micro-purchase threshold shall be \$0.]

2. The self-certification made herein shall be effective as of the date hereof and shall be applicable until June 30, 2023, the end of the fiscal year of the City, but shall not be applicable to Federal financial assistance awards issued prior to November 12, 2020, including financial assistance awards issued prior to that date under the Coronavirus Aid, Relief, and Economic Support (CARES) Act of 2020 (Pub. L. 116-136).

3. In the event that the City of Mebane receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the Unit shall comply with the more restrictive threshold when expending such funds.

The Unit shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

5. The Finance Director of the City of Mebane is hereby authorized, individually and collectively, to revise the purchasing policies of the City to reflect the increased micro-purchase thresholds specified herein, and to take all such actions, individually and collectively, to carry into effect the purpose and intent of the foregoing resolution.

Adopted this the 11<sup>th</sup> day of July 2022

Mr. Ewing requested to move *Item 7- Mebane Main Street Program of Directors Ex officio appointments (continued from the June 6, 2022 meeting)* up in the agenda, stating that he feels the meeting may go long and there are people present to speak in regards to that item.

Mayor Pro-Tem stated that there are five (5) public hearings with many speakers as well. He then asked Council if there were any objections to moving Item 7 up in order. There were no objections.

Mr. Brown stated that last month the item was continued due to the legal issue of whether or not the Mayor was considered a part of the Council and could serve in the capacity of an Ex Officio member of the Main Street Program Board of Directors. He said in his opinion, because of the definition of the governing board and the history in the way Mebane approaches this matter, not only in the City's Charter but also in the ordinances, the Council is free to consider the Mayor as part of the board.

Mr. Mitchell stated that staff's recommendation still stands for appointment of two Councilmembers.

Mayor Pro-Tem Bradley stated that Ms. Burkholder was appointed last month, leaving one of the positions open. He then asked if anyone was present to speak on the matter.

Kat Mathias, Owner of Impulsive Creativity located in downtown Mebane, 107 W. Clay Street, Mebane, and member of the Mebane Main Street Program Board of Directors, spoke in support of having Mr. Ewing appointed to serve as an as Ex Officio member.

Sugaree Thornton, resident of 402 N. Fourth Street, Mebane, employed at Clay Street Printing and Signs located in downtown Mebane and member of the Mebane Main Street Program Board of Directors, spoke in support of having Mr. Ewing appointed to serve as an as Ex Officio member.

Steve Krans, resident of 100 W. Crawford Street, Mebane, Owner of downtown restaurant Junction on 70, President of Destination Downtown, and also a member of the Mebane Main Street Program Board of Directors, spoke in support of having Mr. Ewing appointed to serve as an as Ex Officio member.

Ms. Hadley thanked those that came out to share comments of support. She stated that she is sticking to her original recommendation from last month's meeting, which was a motion to appoint Mr. Ewing to serve as an Ex Officio member to the Mebane Main Street Program Board of Directors. Mr. Ewing seconded the motion.

Mr. White shared his appreciation for Mr. Ewing's contributions downtown and the amazing job he has done building relationships with downtown business owners. He said he feels those connections will continue. He expressed that he would like to see the channels of communication between downtown and the Council are as wide as possible and he would also like to think there will be benefit of the Mayor playing that role, therefore he felt it best for the City that Mayor Hooks be appointed to serve as an Ex Officio member to the Mebane Main Street Program Board of Directors.

Mayor Pro-Tem Bradley called for a vote on the motion on the floor, to appoint Mr. Ewing. The motion failed with a 3-2 vote. Nays-Mayor Pro-Tem Bradley, Ms. Burkholder and Mr. White. Ayes-Ms. Hadley and Mr. Ewing.

Mr. White made a motion to nominate Mayor Hooks to serve as the second Ex Officio member to the Mebane Main Street Program Board of Directors. Ms. Burkholder seconded the motion. The motion passed with a 4-1 vote. Ayes- Mayor Pro-Tem Bradley, Ms. Burkholder, Mrs. Hadley and Mr. White and Nay- Mr. Ewing.

Mr. Brown explained that at last month's meeting Council was presented with a draft ordinance limiting the number of chickens and the banning of roosters. Council continued the item to allow public comment at tonight's meeting.

Mayor Pro-Tem Bradley invited those wanting to speak on the matter to come forward one at a time, state name and address, and try to limit comments to three (3) minutes.

Tamara Watson, 2119 Doe Roe Road, Mebane, spoke in opposition of the proposed ordinance.

Josh Woodard, 500 S. Third Street, Mebane, spoke in opposition of the proposed ordinance.

Jackie Gryder, 1066 S. Third Street, Mebane, spoke in opposition of the proposed ordinance.

Matthew Lowe, 312 Woodlawn Drive, Mebane, spoke in opposition of the proposed ordinance.

Medora Burke Scoll, 3673 Mebane Rogers Road, Mebane, spoke in opposition of the proposed ordinance.

Mary McFarland, 307 Wilba Road, Mebane, questioned how many complaints have been received regarding the matter.

Mr. Rollins read aloud comments from an elderly resident, Dorothy Wade, 613 N. Carr Street, Mebane. Her comments were in support of the proposed ordinance.

Mayor Pro-Tem Bradley stated he has received three complaints personally. He stated that the proposed ordinance only addresses residential property inside the City limits. The proposed ordinance only limits the number, it does not eliminate them.

Mr. Mitchell stated that the Code of Ordinances currently regulates beasts but does not regulate fowl. He said there are limitations on other animals and when complaints are received, the City addresses those complaints and enforces the ordinance.

Mr. White thanked everyone for their comments. He said he has received the most feedback on this topic during his brief tenure on the Council. He stated boundaries would be wise but he would rather under regulate than over regulate in this area. He named three things that he would like to see considered 1) No roosters, 2) Limit the number of hens based off the size of the yards and 3) Sufficient mechanisms to keep the hens out of the neighbor's yards. He then asked without this ordinance, what recourse does a neighbor have if hens were in their yard and if an ordinance like this is passed, how would that recourse change.

Mr. Brown said with the passing of this ordinance, the neighbor would be able to call police/animal control. Currently, it would be a nuisance issue, not enforceable by police/animal control unless it was creating some type of danger.

Ms. Burkholder said she agrees with Mr. White's list and the idea of under regulating as opposed to over regulating. She shared that at a recent School of Government training with other city leaders from across the state, a hypothetical came up regarding complaints about chickens and half of the leaders in that session commented that is why they do not allow chickens at all in their cities. She said she would like to add to the ordinance a way to ensure that the hens are being humanely kept.

Mr. Ewing said he has received comments concerning the number of chickens that would be allowed, stating it feels like those with larger lots are being punished. He also agreed with Mr. White's comment about not over regulating.

Ms. Hadley spoke of the process she followed when she was employed with the City and acting as the Code Enforcement Officer. She stated matters were complaint driven and if issues arose, she would speak with the violator and address the issue via the nuisance abatement portion of the Code of Ordinances.

After considerable discussion, Mr. White made a motion, seconded by Ms. Burkholder, to adopt an ordinance that restricts roosters, limits hens to ten (10) per acre and has strong wording about the responsibility of the owner to keep the hens on the owner's property.

Mr. Ewing asked if Mr. White could modify his motion to twenty (20). Council shared concerns with that number of hens on residential lots. There was brief discussion regarding acre size and proration per acre or up to an acre, ex. ten (10) hens per lot less than or equal to one (1) acre and so on per increased acre size.

The motion passed with a vote of 3-2. Ayes- Mayor Pro-Tem Bradley, Mr. White and Ms. Burkholder. Nays- Ms. Hadley and Mr. Ewing.

Mr. Brown stated he would bring back the revised ordinance at the August meeting for final action. Mr. Rollins questioned if Council wanted to add in a sixty (60) day effective date. Mayor Pro-Tem Bradley stated that seems fair. Mr. Rollins added that the abuse of animals is already covered in the Code of Ordinances.

A Quasi-judicial Public Hearing was held on a request from CitySwitch II-A, LLC for approval of a special use permit for a 175' wireless communication facility (aka "5G tower") with nonconforming setbacks at 1436 Trollingwood Hawfields Road.

Mayor Pro-Tem Bradley and each Council Member gave statements that none of them have had conversations beyond those with staff regarding the special use permit, nor have they made any decisions regarding the matter.

Clerk Shaw swore in the following:

Franz Holt, Mebane Engineer

Ashely Ownbey, Mebane Planner  
Marc Tucker, Attorney with Fox Rothschild representing the applicant  
James Billups, PE with FDH Infrastructure Services  
Timothy Sutton, Real Estate and Construction Manager with AT&T  
Paul Prychodko, Sr. Design Engineer with AT&T  
Patty Dissinger, Daughter of owners of property under consideration for tower location  
Harry Isley, adjoining property owner  
Stephen Howard, Area Manager with AT&T  
David Smith, State Certified General Real Estate Appraiser  
Carl Bradley, Outside City Limits Mebane Resident

Ms. Ownbey gave an overview of the request. She stated that the applicant is requesting a special use permit to place a 175-foot monopole tower on property with frontage on Trollingwood Hawfields Road and also Interstate 40 and 85. The proposed tower would be located on approximately one (1) acre of a larger property that totals approximately twenty-five (25) acres. The property is split zoned B-2 (General Business District) and M-2 (Light Manufacturing). The tower would be located on the property zoned M-2. Wireless Communication Towers are allowed, if development standards are met, in any zoning district in Mebane. However, with this tower, the applicant is requesting a waiver of the setback requirements, therefore the special use request. The property is located in the Secondary Growth Area as defined in the Mebane by Design Comprehensive Plan and there are conservation areas identified on the property due to a stream and pond. Ms. Ownbey shared a rendering of the site plan which showed access to the tower which would be from Trollingwood Hawfields Road and would also be used for maintenance purposes. She stated that the larger portion of the property is a vacant, open field. There is an old agricultural pond present. The owner of the property lives in the home shown the site plan drawing. Surrounding uses include the Pilot Truck Stop, future hotel site, single-family residential and the interstate. Ms. Ownbey explained that the tower meets all development standards with the exception of two setbacks. Mebane UDO Article 4, Section 4-7.9.E.2(g)(ii)c states that "The setback distance from existing property lines in all zoning districts for all towers shall be 100 feet, or one foot for every one foot of tower height, whichever is greater." The applicant is requesting a 50' setback from Interstate 40/85 to the north and a +/- 84' setback from the eastern property line.

Mr. Tucker recapped the same general information as provided in Ms. Ownbey's overview. He said the total height of the tower would be 185 feet, including the 10-foot lighting rod. Mr. Tucker shared a site plan as well and showed maps depicting the exact location for the tower. He referenced the gray shaded area on the Compound Detail drawing, stating that in actuality the applicant will be providing a "double" buffer, the natural existing trees will remain and the additional buffer as required by the UDO. Mr. Tucker stated that AT&T will be the first tenant to lease space on the tower. This tower will be set up to accommodate AT&T and five (5) additional carriers. He shared a list of the Development Standards from the UDO which the applicant meets with the exception of the setback requirement. He stated that the applicant requesting a 50' setback from Interstate 40/85 to the north and a +/- 84' setback from the eastern property line. He briefly overviewed the applicant's reasonability to prove the required Four Findings of Fact. Mr. Tucker shared the following:

The tower will not materially endanger the public health or safety. He submitted that the tower:

- Will improve the public health and safety
- Wireless communications is a public safety necessity
- Access to reliable telecommunication networks and mobile broadband communication services.
- Complies with all federal laws, including FCC emissions standards
- Will allow FirstNet to provide services to first responders

Mr. Prychodko came forward to give an overview of maps depicting AT&T's current coverage area vs. the coverage that would be provided should Council approve the request.

Mr. Tucker shared an excerpt of a letter written by David Hill, Design Engineer with Sabre

Industries, the company designing the proposed tower. Mr. Tucker stated the letter in its entirety was included in the Council's packets. He stated that the tower is designed with safety in mind. In the highly unlikely event that the tower should fail under extreme conditions, the monopole would buckle and would effectively result in a fall radius of 50 feet at ground level.

Mr. White questioned how far the pole would be from the interstate. Mr. Tucker stated from the pole location to the right-of-way should be 50 feet but he was unsure what the additional footage would be to the interstate where cars would be traveling. Mr. White also questioned how many cell towers are located along the interstate in NC and how many times a cell phone tower has failed/fallen in NC.

Mr. Howard came forward and stated that he cannot provide the number of cell towers along the interstate in NC but he can say that in VA they are co-locating on a tower in the middle of a cloverleaf by a very busy exchange. He added that in all the area he covers which is NC, VA and WV and he is unaware of any tower failures in this area in at least two years.

Mr. Tucker stated the next criteria is the tower will be in harmony with the area in which it is to be located. He submitted that the:

- Telecommunications tower is an allowed use in the M-2 zoning district if development standards are met.
- Legislative decision that the use is in harmony with the area in which it is to be located.
- Primary use of the parent tract will not be altered.
- Proposed tower is sited on the parcel in order to have the least visibility possible.
- Consistent with commercial uses in area.
- Surrounded by existing vegetation to east and west. I-40 to the north.

Mr. Tucker stated the next criteria is the tower will not substantially injure the value of adjoining or abutting property. He submitted that the:

- Tower located on large 26.76-acre vacant commercial tract.
- Unmanned facility.
- No traffic.
- Quarterly maintenance visits.
- No utilities or public services.
- No odors or noise.
- Impact Study performed by David A. Smith, MAI, SRA

Mr. Smith came forward to provide expert opinion as a real estate appraiser. He briefly explained the process he used to complete his work. He stated after the completion of his work, it is his opinion that the proposed tower will not substantially injure the value of the adjoining or abutting property.

Mr. Tucker stated the final criteria is the tower will be in general conformity with the land use plan or other plans and policies officially adopted by the City Council. He submitted that the:

- Proposed tower will be in conformity with the comprehensive land use plan and other plans and policies of the City of Mebane.
- G-4 Secondary Growth Area: Extension of new services to these areas should be considered with the calculation on the costs and benefits of new infrastructure.
- Growth Management Goal 1.7: Continue to support development at existing industrial parks near I 40/85.

He concluded his presentation with the following statements:

- The proposed tower will be in conformity with the City of Mebane Unified Development Ordinance.
- The proposed tower will be an integral part of AT&T's and other wireless carriers' wireless telecommunications systems, bringing wireless digital services to this geographic area of the City, its first responders, citizens, residents, businesses, visitors and travelers.

Nancy Bouchard, 107 Campaign Drive, Mebane came forward to speak. Clerk Shaw swore her in as she had not been sworn in earlier. Ms. Bouchard cited concerns with wildlife conservation, safety of the tower and “growth for profit”.

Harry Isley, property owner of four (4) acres located at 204 Lowes Boulevard, stated towers are an integral part of the City’s infrastructure and he is not opposed to such but the location of those towers is very critical. He cited concerns with the proposed location, stating it would be located in a floodplain and it would be within 100 feet of a second hotel that is to be built on the adjoining property. He said in his opinion a site across the interstate on industrial property would be a more appropriate location.

Ms. Dissinger spoke on behalf of her parents, John and Avis Williams, owner of the 25-acre site, 1436 Trollingwood Hawfields Road, with one acre of which the tower would be located. She stated that her parents have lived there for sixty years and they wish to continue living there and they would like to have the revenue stream to pay for their property taxes. Additionally, they would like to have the access road that would be built for the tower because it will be access to the billboard, they currently have which requires maintenance. She said in her parent’s opinion, the property where the tower would be located is not “usable land” because it is located next to a truck stop, Lowe’s Home Improvement and the interstate, so why not use it this way to generate a revenue stream. She concluded her comments, stating that her parents are only home owners in the area and the cell tower would be a benefit to the community and to her parents.

Mr. Tucker objected to Mr. Isley’s testimony regarding the hotels or his advocating on behalf of the hotel. He stated that he conferred with Mr. Smith, the site is not located in a floodplain. He addressed Mr. Isley’s comment about locating the tower on property across the interstate, stating that factors come into play when selecting a site, such as zoning, willing lessors and need for services. He said in regard to the second hotel, according to the site plans, the second hotel which would be located on the western side, is only slated to be constructed if there is sufficient demand for phase 1 which is the first hotel which is to be located on the eastern side.

Mr. Bradley asked if the second hotel is built, would the tower be within 100 feet? Mr. Tucker said based on his read of the site plan it would be at least 80 feet from the property line.

Mr. White said he feels the applicant could have provided more evidence proving the safety finding. Mr. Tucker thanked Mr. White for his feedback.

Mr. Ewing made a motion, seconded by Ms. Hadley, to close the public hearing. The motion carried unanimously. Mr. Ewing made a motion to find that the request is both reasonable and in the public interest because it finds that it:

- a. Will not materially endanger the public health or safety;
- b. Will not substantially injure the value of adjoining or abutting property;
- c. Will be in harmony with the area in which it is located; and
- d. Will be consistent with the objectives and goals in the City’s adopted plans.

Mr. Mitchell questioned if Mr. Ewing’s motion included approval. Mr. Ewing amending his motion, to include approval of the special use request for a 175’ non-stealth wireless communication facility as presented, including the setback deviation to allow for a 50’ setback to the north and 84’ setback to the east. Mr. White seconded Mr. Ewing’s amended motions. The motions carried unanimously.

A Public Hearing was held on a request from The Summit Church for approval to conditionally rezone the +/-21.33 property located at the northwest corner of Mebane Oaks Road and Old Hillsborough Road from R-20 and B-2 to B-2 (CD) to allow for a 60,000-s.f. place of worship with a site-specific plan. The property is located in the Mebane Extraterritorial Jurisdiction (ETJ) in Alamance County.

Mr. White stated that he is a relatively new member of The Summit Church but was unaware of any details of the request until it came before the Planning Board. He said he feels he can be objective on the matter but is also willing to recuse himself if needed. It was the consensus of the Council to allow Mr. White to participate as they felt he could be objective.

Ms. Vogel gave an overview of the request. The property is located in the City's G-2 Residential Growth Area. A mix of residential and light commercial uses are encouraged in this area. The property is currently vacant with open field and forest cover and includes a 6.2-acre conservation easement along the creek and floodplain on the western portion of the property. This area is to remain undisturbed in perpetuity per the requirements of the easement. She explained that the applicant previously received approval in April 2022 from the City of Mebane Technical Review Committee for the same use as a by-right development on the B-2 portion of the property. The applicant has since revised the site plan, expanding the parking lot into the northeast portion of the property that is currently zoned R-20. Per Section 6-5.E of the Mebane UDO, nonresidential parking in residential districts shall be used only during daylight hours. The proposed parking lot in this area would require evening parking and illumination and thus must be rezoned to a non-residential zoning district. She further explained that a TIA was completed in December 2021. The TIA included a recommendation for an exclusive southbound right turn lane with a minimum of 75' of full storage and appropriate deceleration taper at the site access on Mebane Oaks Road. However, in consideration of right-of-way constraints and impacts to the existing fire station driveway, construction of the turn lane does not appear to be feasible. This access was evaluated without the right turn lane and is expected to operate acceptably without construction of the right turn lane. Accordingly, this improvement will not be required as a condition of the pending driveway permit.

David Wagoner, Director of Facilities for The Summit Church, provided some background information about The Summit Church and its various campuses. He then introduced Jeremy Pollard, Pastor for The Summit Church Mebane Campus and Jonathan Allen, PE with NV5 Engineers. Pastor Pollard gave a brief overview of the church and its history.

Mr. Allen gave an overview of the site plan, reiterating some of the same information shared by Ms. Vogel.

Sandra Wahba, project architect, described the proposed architecture for the facility and how it would be cohesive with Mebane's character.

BenJetta Johnson, PE with NV5 Engineers, TIA Engineer for this project, summarized the findings of the study, stating that no improvements were recommended nor required.

Mayor Pro Tem Bradley questioned if they expect any traffic stacking on Mebane Oaks Road that would affect the Fire Station. Ms. Johnson replied, they do not anticipate any stacking.

Mr. Ewing questioned if Crosslink Church's traffic was considered during the study. Ms. Johnson replied that the study included every existing development in the area, along with approximately eight other adjacent developments currently approved.

Mr. White questioned if there are two entrances/exits, one on Old Hillsborough Road and one Mebane Oaks Road. Ms. Johnson replied, yes, that is correct.

Ms. Johnson added that also included in the study was the consideration of planned NCDOT improvements on Mebane Oaks Road.

Mr. White asked for more details regarding the proposed sidewalk and multi-use path and what they will connect to. Mr. Mitchell stated that sometimes sidewalks and multi-use paths go in ahead of the connections because private sector is paying for the development. There are plans for sidewalks to continue along Mebane Oaks Road as development is expanded. He also shared that at some point it may become cost feasible for the City of Mebane or NCDOT to provide the vacant connections.

Nancy Bouchard shared concerns with the lack of infrastructure, traffic issues at the intersection of Old Hillsborough Road and Mebane Oaks Road and traffic issues in general.

Brian McAdoo, 1025 Brockton Drive, shared concerns with additional traffic in this area as it is already congested. He said that proper infrastructure should be in place before allowing a venue of this size to be developed.

Hilary Latimer, N. First Street, shared concerns with the potential for traffic stacking on Mebane Oaks Road in front of the fire station. She also shared concerns with traffic issues on Old Hillsborough Road.

Pastor Pollard spoke again stating that he lives in a neighborhood close to the proposed site location and his neighbors are in favor of the church building on the site as opposed to an apartment complex. He said they are excited that there will be a park on the property that can be used by the community as well as an auditorium for various community events.

Mr. Ewing made a motion, seconded by Ms. Burkholder, to close the public hearing. The motion carried unanimously.

After a few brief comments, Ms. Burkholder made a motion, seconded by Mr. Ewing, to approve the B-2 (CD) zoning as presented and a motion finding that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan Mebane By Design. Specifically, the request:

- Is for a property within the City's G-2 Residential Growth Area;
- Provides a sidewalk and multi-use path, supporting walking between differing land uses while also reducing parking requirements consistent with Growth Management Goal 1.6 (pp. 17, 84)
- Supports greenway and open space expansion and connectivity consistent with Open Space and Natural Resource Protection Goals 4.2 and 4.3 (pp. 17, 89-90);
- Provides a greenway, as required in the City's *Bicycle and Pedestrian Transportation Plan*.

The motions carried unanimously.

A Public Hearing was held on a request from Land Acquisition & Development Services, LLC for approval to conditionally rezone two properties totaling +/-20.38 located at 704 North First Street from R-20 to R-8 (CD) to allow "Potters Mill" a residential development of 42 townhomes. Ms. Ownbey gave an overview of the request. The properties are located within the Mebane City Limits and also in the *Mebane by Design* G-3 Mixed Use area. The properties are currently heavily forested and include some conservation areas. She stated that the site plan shows an internal road network, as well as a dedicated 10' multi-use path along the property's frontage on N First Street and extend across the site to connect to a path network through proposed adjacent subdivisions. There is almost an acre of private common area included. She stated that a TIA was not required for this development as it did not generate enough trips to warrant one per the City's ordinance. However, an adjacent, larger project currently under review by the City's Technical Review Committee has determined the need for intersection improvements at North First Street and Stagecoach Road and North Fifth Street and Stagecoach Road. The impacts of Potters Mill were accounted for in that project's TIA. The proportional contribution for Potters Mill was determined to be the dedication of right-of-way for future turn lanes, as shown on the submitted plans. A waiver is requested for a 20' minimum front setback and to allow for property lines that do not create side yards or substantial front and rear yards. Individual lots will not have typical yards such that townhome owners will only own a portion of land in front of and behind the unit. All common elements including those abutting privately-owned residences, excluding private driveways, shall be maintained by the HOA. She shared the following regarding the North Mebane Multi-use Path Network:

- Shared commitment and joint cost sharing-agreement between the four proposed development projects in North Mebane
- Network will provide connections between Cates Farm Park and Lake Michael Park and to sidewalk network south of Stagecoach
- Multi-use path and financial contribution will satisfy public recreation requirement for



## Potters Mill

David Michaels of Windsor Homes represented the applicant and presented the site plan and proposed home products, including architectural commitments.

Mr. Bradley asked if the rear of the homes would be seen from N. NC 119 Hwy. Mr. Michaels replied that the homes would be up higher than the road and they plan to preserve as much of the existing trees along there.

There was considerable discussion among Council, staff and Mr. Michaels regarding the dedicated right-of-way width, the proposed multi-use path network to be shared by four development projects and the treescape buffer, as Council shared concerns with being able to see the rear of the homes from the road. Mr. Michaels stated they would be willing to put in some evergreen trees.

Marlo Countiss, local real estate agent, said the height of the homes on the hill would be more comparable to what is seen at Hawfields Crossing, not what you see from the rear of Mebane Towne Center.

Mr. Michaels committed to leaving existing trees or replant trees in accordance with the City's UDO requirements from the entrance on N. NC 119 Hwy around to the end of their property to Stagecoach. He added that they are happy to enhance what the minimal requirement is in those specific areas to ensure there is visible landscape buffer along the back of those units.

Hilary Latimer, 413 Redwood Court, Mebane, shared concerns with the need for landscape screening as discussed, the speed limit on N. NC 119 Hwy, traffic issues and the City's wastewater capacity for new development.

Johnny Parker, 105 E. Laramie Drive, Mebane, shared concerns with water runoff from the property.

Mr. Holt explained that the required stormwater detention pond would capture the runoff for this property.

David Morton, 181 E. Stagecoach Road, Mebane, also shared concerns with how the water runoff for this development could affect the area, particularly his property. Additionally, he shared concerns with traffic issues.

Donna Parker, 920 Quaker Ridge Road, Mebane, shared concerns with the growth in Mebane, citing traffic issues, poor school conditions at EM Yoder Elementary, health care, and water and sewer capacity.

Ms. Burkholder made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously.

There was considerable discussion regarding the process that ensues when development triggers traffic improvements.

Mr. White made a motion, seconded by Mr. Ewing, to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request:

- Is for a property within the City's G-3 Mixed-Use Growth Area;
- Promotes a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1 (pp. 17 & 82);
- Is providing community facilities in the form of a greenway that connects to surrounding residential developments and ultimately Lake Michael Park and Cates Farm Park, consistent with Growth Management Goal 1.4 (pp. 17, 83);
- Provides a greenway and open space in a developing area, connecting to other locations, consistent with Open Space and Natural Resource Protection Goal 4.3 (p. 17, 89, & 90); and
- Provides a greenway, as required in the City's Bicycle and Pedestrian Transportation Plan.

The motion carried unanimously.

Mayor Pro Tem Bradley called for a break at 9:50 pm. He called the meeting back to order at 9:56 pm.

A Public Hearing was held on a request from Kirkpatrick & Associates, LLC, for approval to

conditionally rezone a +/- 30.55-acre property from R-20, Residential District to R-8 (CD), Residential Conditional District to allow for a subdivision of 150 townhomes. Ms. Ownbey gave an overview of the request. She stated that the property is located in Alamance County outside of City Limits within the Mebane Extraterritorial Jurisdiction (ETJ) and would require annexation to connect to City utilities. The property is located in the *Mebane by Design* Mixed Use area and does include conservation areas due to its forested nature and also the presence of a stream and floodplain. Most of the surrounding uses are residential. The proposed on-site amenities and dedications include the following:

- The construction of all internal streets with 5' sidewalks.
- The construction of a 5' concrete sidewalk along NC 119.
- The construction of a fenced dog run, fenced playground, a butterfly garden, a 8'-wide mulch or grit walking trail behind Buildings 138-150, and an internal path of stone crush & run, chapel hill granite, or equivalent running through the center of the development to exclusively serve the development's residents.
- Potential right-of-way dedication for a possible roundabout at the northern entrance.

Ms. Ownbey stated that a TIA was completed for this project in February 2022. Consistent with the TIAs conducted for the development and for a nearby, larger project under review by the City's Technical Review Committee, the applicant is proposing:

- Exclusive northbound, left turn lanes at both driveway entrances.
- Potential dedication of right-of-way and potential financial contribution at the northern entrance of the development if a roundabout is installed by others.
- Proportional contribution to intersection improvements at North First Street and Stagecoach Road and North Fifth Street and Stagecoach Road.

The new UDO standards adopted June 6, 2022 remove the waiver requests as the applicant now meets requirements for lot area, lot coverage and lot width. In lieu of required public recreation area, the applicant is proposing to contribute financially to a coordinated effort between four developers with projects under review in North Mebane to create a public, multi-use path network that will connect Cates Farm Park to Lake Michael Park and provide a connection to the sidewalk network south of Stagecoach Road. The financial contribution will include support for a bridge system to be constructed over the stream on properties to the east.

Tony Tate, Landscape Architect and Land Planner with TMTLA Associates, represented the applicant and presented the site plan and reiterated the on-site amenities and dedications as presented by Ms. Ownbey. He stated that along N. NC 119 Hwy they are leaving the required 30-foot buffer of undisturbed and then planting evergreens and understory trees on the front side to provide screening from seeing the back of units. He said additionally within the development they will be providing "street trees". He said Ramey Kemp completed the TIA and the developer will be providing northbound left turn lanes into each entrance, along with the previously mentioned improvements pending other projects in the area.

Jay Colvin of Dan Ryan Builders spoke about other projects they are working on and have worked on in Mebane, Havenstone and Arrowhead. He said the homes they are proposing to built are a great universal overing to a broad spectrum of home buyers.

There was brief discussion regarding parking. Mr. Colvin stated that the HOA would enforce a no street parking policy.

Margaret Cole, 1603 St. Andrews Drive, shared concerns with global warming due to cutting down trees, density of the project and the lack of wildlife protection.

Mary McFarland, shared concerns with the density of the development.

Mr. Boney asked what the price range will be for the homes. Mr. Colvin replied, they are expecting a \$300-325k price point.

Mr. Ewing made a motion, seconded by Ms. Burkholder to close the public hearing. The motion carried unanimously.

Mr. Mitchell stated that the applicant will be contributing \$114,000 to transportation improvements beyond their turn lanes and he requested clarification as to when those contributions would be paid. Mr. Colvin stated that they will put in their two turn lanes day one, as for the additional contribution, he offered and requested that they delay payment until the 75<sup>th</sup>

building permit is pulled.

Mr. Ewing, made a motion, seconded by Ms. Burkholder, to motion to approve the R-8(CD) zoning as presented, along with the condition offered by the applicant that if the roundabout is installed prior to their projects northern entrance turn lanes, they will contribute the amount of money that is related to those two turn lanes towards the roundabout project and to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:

- Is for a property within the City's G-3 Mixed-Use Growth Area and is "...an ideal site for residential growth..." (Mebane CLP, p. 80);
- Promotes a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1 (p. 17 & 82);
- Improves safety and confidence of pedestrian access across NC-119, consistent with Public Facilities and Infrastructure Goal 2.1 (p. 17 & 84);
- Provides open space connectivity and a greenway connection across a major transportation corridor, consistent with Open Space and Natural Resource Protection Goal 4.2 (p. 17 & 89);
- Provides open space in a developing area, connecting to other locations, consistent with Open Space and Natural Resource Protection Goal 4.3 (p. 17, 89, & 90); and,
- Contributes to a greenway network, as required by the City's Bicycle and Pedestrian Transportation Plan.

The motion carried unanimously.

A Public Hearing was held on a request from staff for text amendments to the City's Unified Development Ordinance (UDO) to amend the naming of the manufacturing zoning districts and to adopt the amendments to the Unified Development Ordinance, Article 4-2.D. Ms. Ownbey presented the request. She explained that the June 6, 2022, meeting the City Council considered comprehensive amendments to the UDO, and voted to approve most of the amendments presented. The City Council continued consideration for the two text amendments below:

1. Revisions to the naming of manufacturing zoning districts
2. Standards for framed, welded wire fences

The purpose of renaming the manufacturing zoning districts is to better reflect the land use intensity. The first option is to reverse the ordering of the existing zoning districts so that the increase in number corresponds with the increase in land use intensity. With this change, M-1 would become the Light Manufacturing District and M-2 would become the Heavy Manufacturing District. The second option is to remove the use of numbers. For this option, staff proposes LM, Light Manufacturing District and HM, Heavy Manufacturing District. Amendments to the names of the manufacturing zoning districts will primarily affect Articles 3 and 4, with updates to all references to the zoning districts occurring in other articles of the UDO.

The purpose of adopting standards for fences using welded wire is to allow the use of this fence material under certain conditions in the side and rear yards.

Ms. Hadley stated she did not think the M-1 and M-2 renaming was needed. Ms. Ownbey stated staff has received complaints about the current name being confusing.

Ms. Burkholder stated she prefers the LM and HM naming option.

No one from the public spoke concerning the matter.

Mr. Ewing made a motion, seconded by Mr. White, to close the public hearing. The motion carried unanimously. Ms. Burkholder made a motion, seconded by Mr. White, to amend the naming of the manufacturing zoning districts to LM and HM, and to adopt the amendments to the Unified Development Ordinance, Article 4-2.D as presented in the packet. The amendments to the Unified Development Ordinance are consistent with the objectives and policies for growth and development in the Comprehensive Land Development Plan *Mebane By Design*. Ms. Burkholder added that staff the authority to update the M-1 and M-2 districts on all maps and in all text. The motion passed with a 3-1 vote. Ayes- Burkholder, White, Ewing. Nays- Hadley.

Mayor Pro Tem Bradley requested to be recused on *Item 8- Volunteer Firemen Call Pay Increase* as he serves as a volunteer fireman in which case Council would need to accept the recusal and

select another presiding officer. Mr. White made a motion, seconded by Ms. Burkholder, to appoint Mr. Ewing as the presiding officer for this item. The motion carried unanimously. Mr. White made a motion, seconded by Ms. Burkholder, to recue Mayor Pro Tem Bradley. The motion carried unanimously.

Mr. Rollins presented a request for approval to increase the volunteer firefighters' pay per call. He apologized as the funding level was included in the new budge and he spoke about the increase was not included in the text in the Manager's Recommended Budget. He recommended increasing pay per call for EMT calls to \$4.00 and pay per call for fire calls \$10.00. This would help offset the fuel cost and inflation for our volunteers. EMT calls are currently at \$2.00 per call and have never been increased in the history of the department since we started paying per call in the mid '70s. The fire calls are currently at \$8.00 per call and the last time they were increased was in 2010. Mr. White made a motion, seconded by Ms. Hadley, to approve the increase as presented. The motion carried unanimously.

Mr. White made a motion, seconded by Ms. Burkholder, to have Mayor Pro Tem Bradley return to the meeting as presiding officer. The motion carried unanimously.

Mr. Smith announced that the City's GFL Recycling contract has been amended and moving forward new residents will receive 95-gallon recycling carts instead of the current 65-gallon carts. He said current residents have an option to upsize their carts simply by contacting the Public Works Department.

There being no further business, the meeting adjourned at 10:52 pm.

Attest: \_\_\_\_\_  
Stephanie W. Shaw, City Clerk

\_\_\_\_\_  
Ed Hooks, Mayor

DRAFT



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, August 1, 2022 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street.

Councilmembers Present:

Mayor Ed Hooks  
Mayor Pro-Tem Tim Bradley  
Councilmember Katie Burkholder  
Councilmember Sean Ewing  
Councilmember Montrena Hadley  
Councilmember Jonathan White

Also Present:

Chris Rollins, City Manager  
Preston Mitchell, Assistant City Manager  
Lawson Brown, City Attorney  
Stephanie Shaw, City Clerk  
Ashley Ownbey, Interim Development Director  
Daphna Schwartz, Finance Director  
Kyle Smith, Utilities Director

Mayor Hooks called the meeting to order. He welcomed Alamance County Commissioner Craig Turner who was in attendance. He then called for a moment of silence.

Mr. White announced that he and Mr. Ewing were privileged to attend the Junior Police Academy Graduation Ceremony. He said he was incredibly impressed by the program and the impact it is having on the rising 7<sup>th</sup> and 8<sup>th</sup> grade young men and women in the County. He thanked the participating organizations, including the Mebane Police Department. He recognized Mebane Officer Jake Petersen as he had played a particular role and he clearly did an excellent job. He shared a plaque that was gifted to the City of Mebane from the academy. Mr. Ewing thanked all those involved and stated that the community outreach is so important.

During the Public Comment Period, Alan Stephenson, 709 W. Stagecoach Road, spoke to Council regarding zoning as related to the proposed Backyard Hen Ordinance, stating that zoning exists to protect areas from harmful influences. Farms, commercial, and residential areas each have their own specified zoning, for the purpose of protecting each from the encroachment from one or the other. He said citizens should not have to complain about something the City should already be doing. He concluded his comments by urging the Council to reconsider parts of the ordinance and stated that he, and everyone, should expect Council to protect property owners.

Also, during the Public Comment Period, Jennifer Newlin, 821 S. Eighth Street, shared her concerns with the traffic issues at the intersection of Arrowhead Boulevard and Pear Street and felt that those issues need to be addressed.

Mayor Hooks agreed and requested that staff look into that matter.

Omega Wilson, West End Revitalization Association, shared concerns with environmental issues in the area, stating the fundamental concern is public health.

Mayor Hooks gave an overview of the Consent Agenda:

- a. Alamance County Library Committee Appointment Recommendation
- b. Final Plat Approval- St. Barts Place
- c. Final Plat Reapproval- Tupelo Junction, Ph. 1
- d. Petition for Voluntary Non-Contiguous Annexation- Summit Church
- e. Petition for Voluntary Non-Contiguous Annexation- Sandra Clark
- f. Odor Control Chemical Bid Results and Recommendation

Mr. White made a motion, seconded by Mr. Bradley, to remove *item a. Alamance County Library Committee Appointment Recommendation* from the Consent Agenda for deliberation of the applicants. The motion carried unanimously.

Mr. Bradley made a motion, seconded by Mr. Ewing, to approve all other items on the Consent Agenda as presented.

Mr. White stated that all three of applicants for the Alamance County Library Committee Appointment Recommendation were extremely qualified. He then made a motion, seconded by

Mr. Bradley, to recommend Lorna Nelson for appointment by the Alamance County Board of Commissioners to serve as a Mebane trustee on the Alamance County Library Committee. The motion carried unanimously.

**Item d.**

RESOLUTION FIXING DATE OF PUBLIC HEARING ON  
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

Annexation No. 154

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Mebane City Council directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Mebane City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at 6:00 p.m. on September 12 2022.

Section 2. The area proposed for annexation is described as follows:

BEGINNING at a right of way monument and being located in the northern boundary line of Old Hillsborough Road (S.R. 2126; being a variable width public right of way and recorded in the Alamance County Register of Deeds, DB.3987, PG.404), said monument marking the southeastern corner of the property described hereinafter; thence along the northern boundary line of Old Hillsborough Road the following five (5) courses and distances: (1) South 59° 40' 47" West 113.66 feet to an existing right of way monument; (2) a curve to the right having a radius of 4,455.00 feet, an arc length of 184.48 feet, and a chord bearing and distance of South 60°51' 58" West 184.47 feet to an existing right of way monument; (3) South 54°05' 17" West 100.29 feet to an existing right of way monument; (4) a curve to the right having a radius of 4,470.00 feet, an arc length of 146.42 feet, and a chord bearing and distance of South 64°15' 50" West 146.41 feet to a computed point; and (5) a curve to the right having a radius of 12,652.08 feet, an arc length of 129.58 feet, and a chord bearing and distance of South 65°29' 45" West 129.58 feet to an existing 1/2" rebar at the southeast corner of the Longmeadow Subdivision Phase One (PB.56 PG. 136); thence leaving the northern boundary line of Old Hillsborough Road and following the eastern line of the Longmeadow Subdivision Phase One the following nine (9) courses and distances: (1) North 27°38' 10" West 207.86 feet to an existing 1/2" rebar; (2) North 3°02' 59" East feet to a computed point; (3) North 32°52' 30" West 64.72 feet to a computed point; (4) North 51°28' 34" West 73.15 feet to an existing rebar; (5) North 46°36' 16" West 161.77 feet to a computed point; (6) North 52°44' 55" West 205.15 feet to a computed point; (7) North 33°59' 19" West 56.48 feet to a computed point; (8) North 39°34' 56" West 99.97 feet to a computed point; and (9) North 52°56' 22" West 197.18 feet to a rebar in a concrete monument marking the northeastern corner of the Longmeadow Subdivision Phase One and also being in the southern property line of the property owned, now or formerly, by Mebane Housing LLC (GPIN: 9814-92-1385, DB.2108 PG.524, PB.58 PG.82); thence running with the southern property line of Mebane Housing LLC, North 76°12' 26" East 54.21 feet to a computed point at the southwest property corner of the property owned, now or formerly, by Evolve Mebane Oaks, LLC (GPIN: 9824-02-0553, DB.4265 PG.860, PB.70 PG.349); thence running with the southern property line of Evolve Mebane Oaks, LLC, North 76°19' 19" East 568.23 feet to an existing 1" pipe at the southwest property corner of the property owned, now or formerly, by Agape Baptist Church (GPIN: 9824-02-4349, DB.433 PG.844, PB.82 PG.26); thence running with the southern property line of Agape Baptist Church, North 88°14' 13" East 486.71 feet to an existing pipe with cap at the northwest corner of the property owned, now or formerly, by City of Mebane (GPIN: 9824-02-7111, DB.2951 PG.334, PB.76 PG.89, PB.74 PG.106); thence running with the property owned by City of Mebane the following two (2) courses and distances: (1) South 5°28' 26" East 247.05 feet to an existing 1" pipe; (2) North 88°14' 21" East 273.07 feet to a computed point in the western boundary line of Mebane Oaks Road (S.R. 1007; being a variable width public right of way and recorded in the Alamance County Register of Deeds, DB.3987, PG.404); thence along the western boundary line of Mebane Oaks Road the following five (5) courses and distances: (1) a curve to the right having a radius of 1,210.00 feet, an arc length of 139.81 feet, and a chord bearing and distance of South 1°47' 36" East 139.73 feet to a computed

point; (2) South 1° 31' 01" West 12.69 feet to an existing right of way monument; (3) South 12° 56' 44" West 125.48 feet to an existing right of way monument; (4) South 4° 04' 01" West 225.00 feet to an existing right of way monument; and (5) South 33° 17' 18" West 81.55 feet to the Point of BEGINNING, and containing 20.036 acres more or less; as depicted on a map drawn by Eric S. Smith, PLS NC #L-5259 and labeled "Annexation Plat for the Summit Church Homestead Heights Baptist Church Inc." dated June 2022.

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

CITY OF MEBANE

ATTEST:

\_\_\_\_\_  
Ed Hooks, Mayor

\_\_\_\_\_  
Stephanie W. Shaw, City Clerk

**Item e.**

RESOLUTION FIXING DATE OF PUBLIC HEARING ON  
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

Annexation No. 155

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Mebane City Council directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Mebane City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at 6:00 p.m. on September 12 2022.

Section 2. The area proposed for annexation is described as follows:

BEGINNING AT A 4" CONCRETE MONUMENT WITH A 2" BRASS PLATE LOCATED ON THE SOUTHERN VARIABLE WIDTH PUBLIC RIGHT OF WAY FOR INTERSTATE 85 / INTERSTATE 40 (NCDOT PROJECT NUMBER 8.1457602) HAVING NORTH CAROLINA GRID COORDINATES (NAD83/2011) OF NORTH 846,280.548' EAST 1,943,004.240' AND BEING THE COMMON CORNER WITH ORANGE COUNTY (DEED BOOK DB 6169, PAGE 541; TRACT ONE – PLAT BOOK 116, PAGE 22); THENCE ALONG THE SOUTHERN RIGHT OF WAY OF I-85/I-40 THE FOLLOWING FOUR (4) CALLS:

- 1) S79°20'24"E 24.35 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT,
- 2) S55°46'59"E 474.82 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT,
- 3) S80°35'28"E 400.13 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT,
- 4) N81°17'07"E 642.29 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT, THE COMMON CORNER WITH CHARLESANNA MEADOW SUBDIVISION (PLAT BOOK 56, PAGE 118 & PLAT BOOK 110, PG. 28);

THENCE WITH THE CHARLESANNA COMMON LINE THE FOLLOWING FIVE (5) CALLS:

- 1) S00°53'05"W 146.43 FEET TO A RAILROAD RAIL FOUND,
- 2) S88°16'34"E 619.43 FEET TO AN IRON FARM BLADE FOUND,
- 3) S50°56'04"E 1039.74 FEET TO A CONCRETE MONUMENT FOUND,
- 4) N55°01'58"E 99.63 FEET TO A 1" IRON ROD FOUND,
- 5) S01°39'06"W 56.45 FEET TO A 1" IRON PIPE FOUND ON THE NORTHERN 60 FOOT PUBLIC RIGHT OF WAY WEST TEN ROAD (SR 1144);

THENCE ALONG SAID NORTHERN RIGHT OF WAY THE FOLLOWING THIRTY-THREE (33) CALLS

- 1) S72°53'22"W 45.32 FEET TO A COMPUTED POINT,
- 2) S71°02'56"W 50.47 FEET TO A COMPUTED POINT,
- 3) S70°40'01"W 50.13 FEET TO A COMPUTED POINT,
- 4) S70°30'18"W 571.61 FEET TO A COMPUTED POINT,
- 5) S71°03'01"W 49.78 FEET TO A COMPUTED POINT,
- 6) S71°44'57"W 49.60 FEET TO A COMPUTED POINT,

- 7) S73°00'13"W 49.29 FEET TO A COMPUTED POINT,
- 8) S74°19'38"W 49.47 FEET TO A COMPUTED POINT,
- 9) S75°19'42"W 49.57 FEET TO A COMPUTED POINT,
- 10) S75°44'47"W 49.89 FEET TO A COMPUTED POINT,
- 11) S75°37'40"W 50.05 FEET TO A COMPUTED POINT,
- 12) S76°00'26"W 723.15 FEET TO A COMPUTED POINT,
- 13) S75°27'18"W 50.24 FEET TO A COMPUTED POINT,
- 14) S75°16'11"W 50.22 FEET TO A COMPUTED POINT,
- 15) S74°25'36"W 50.61 FEET TO A COMPUTED POINT,
- 16) S73°02'55"W 50.75 FEET TO A COMPUTED POINT,
- 17) S70°50'47"W 50.75 FEET TO A COMPUTED POINT,
- 18) S70°07'42"W 50.42 FEET TO A COMPUTED POINT,
- 19) S69°39'04"W 50.24 FEET TO A COMPUTED POINT,
- 20) S69°10'32"W 49.98 FEET TO A COMPUTED POINT,
- 21) S68°58'07"W 50.09 FEET TO A COMPUTED POINT,
- 22) S68°38'11"W 354.56 FEET TO A COMPUTED POINT,
- 23) S70°05'23"W 49.10 FEET TO A COMPUTED POINT,
- 24) S72°07'43"W 48.85 FEET TO A COMPUTED POINT,
- 25) S74°49'20"W 48.80 FEET TO A COMPUTED POINT,
- 26) S76°49'17"W 48.51 FEET TO A COMPUTED POINT,
- 27) S79°24'57"W 48.81 FEET TO A COMPUTED POINT,
- 28) S81°18'54"W 48.92 FEET TO A COMPUTED POINT,
- 29) S83°31'33"W 49.09 FEET TO A COMPUTED POINT,
- 30) S85°09'04"W 49.23 FEET TO A COMPUTED POINT,
- 31) S86°30'37"W 49.18 FEET TO A COMPUTED POINT,
- 32) S88°34'14"W 49.16 FEET TO A COMPUTED POINT,
- 33) S89°31'27"W 18.11 FEET TO A COMPUTED POINT THE COMMON CORNER WITH ORANGE COUNTY (DEED BOOK DB 6169, PAGE 541; TRACT ONE – PLAT BOOK 116, PAGE 22);

THENCE ALONG THE COMMON LINE WITH ORANGE COUNTY N00°36'24"E 9.39 FEET TO A 3/4" IRON ROD FOUND AND N00°36'24"E 1914.52 FEET TO THE POINT OF BEGINNING CONTAINING 3,222,460 SQUARE FEET OR 73.978 ACRES MORE OR LESS, AS SHOWN ON THE PLAT ENTITLED "NON-CONTIGUOUS VOLUNTARY ANNEXATION PLAT (SATELLITE) FOR CITY OF MEBANE: SANDRA M CLARK TRUSTEE PIN 9844452283; BY STEWART, DATED MARCH 14, 2022 AND RECORDED AS PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ ORANGE COUNTY REGISTRY.

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

CITY OF MEBANE

\_\_\_\_\_  
Ed Hooks, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie W. Shaw, City Clerk

A Public Hearing was scheduled to be held on a request from NC Mebane Holt, LLC, for approval to conditionally rezone four (4) properties totaling +/- 5.74 acres located at 120, 122, and 126 W Holt Street. Mike Fox, attorney representing the applicant, 400 Bellemeade Street, Suite 800, Greensboro, NC, stated that the applicant is requesting to continue the public hearing. He explained that after hearing concerns and comments from the community, the applicant would like to make improvements to the project plan. Mr. Bradley made a motion, seconded by Mr. Ewing, to approve the applicant's request to continue the public hearing until October 3, 2022. The motion carried unanimously.

A Public Hearing was held on a request from Tanner Built Homes, LLC for approval to conditionally rezone the +/-10.01-acre property located at 4677 Mrs. White Lane from R-20 to R-12(CD) to allow "Mill Run" a residential subdivision of 18 single-family homes. Ms. Ownbey gave an overview of the request. She stated that the property lies within a General Watershed Overlay District which means there are restrictions on the amount of impervious surface. The property is in Mebane's ETJ and would have to be annexed prior to the connection to City water and sewer. The property is currently vacant and forested. The surrounding uses are primarily single-family residential lots.



In 2013 Council approved a subdivision of 20 homes on the same property. She shared that there are waivers requested as follows:

UDO Requirement	Requested Wavier
10' side setback	7.5' side setback
70' lot width required for permanent, grass-lined drainage swells in lieu of curb and gutter streets.	65' lot width, complying with all other requirements for permanent, grass-lined drainage swells

Additionally, the applicant is proposing a payment in lieu of \$5,289.89 for the 0.51 public recreation requirement.

Phil Koch, Engineer with EarthCentric Engineering, gave an overview of the request on behalf of the applicant. He shared a rendering of the site plan. The site-specific plan includes the following amenities & dedications:

- The applicant proposes to construct the internal road with permanent, grass-lined drainage swells and 5' sidewalk on one side of the street.
- The applicant proposes to provide a 5' sidewalk along the street frontage of Mrs. White Lane in addition to a paved crosswalk across Rutledge Trail, connecting to the existing sidewalk on Mrs. White Lane.
- 3.2 acres of private common open space, including a 4' gravel walking path, to be owned and maintained by the HOA.

Mr. Koch reiterated the requested waivers as shared by Ms. Ownbey. He stated that the access to the site would be from Mrs. White's Lane and is acceptable to NCDOT. He briefly highlighted other project components, including the discussion with the neighbors on Rutledge Trail, in which the developer will reestablish roadside ditches on the western side of Rutledge Trail to reestablish proper drainage. Mr. Koch shared renderings of the custom homes proposed to be built.

There was discussion among Council and Mr. Koch regarding the draining issues, the sidewalk and the stormwater pond.

Yvonne Connally, 1549 Rutledge Trail, requested more information on the sewer connection piping that will cross Rutledge Trail. She also stated that the existing sidewalk on Ms. White's Lane to the left of Rutledge Trail has caused drainage issues.

Mr. Koch explained that when the sidewalk was put in previously, it was installed at a high point which caused drainage issues down Rutledge Trail. He said currently the ditch in that location does not function properly, however with the extension of the sidewalk, installation of new sewer piping and repairs to the ditch, the ditch should function properly. Mr. Koch said if the City approves, they could move the sidewalk in order to help fix the drainage issues and if the rest of the residents are interested in having Rutledge Trail paved and that now would be the time to discuss as there could be some cost savings while construction is taking place on the new development. He said the developer would be willing to work with the residents on the matter.

Mr. Ewing made a motion, seconded by Mr. White, to close the public hearing. The motion carried unanimously.

Mr. White made a motion, seconded by Mr. Bradley, to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request:

- Is for a property within the City's G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66);
- Provides a sidewalk along its street frontage, as required by the City's adopted *Bicycle and Pedestrian Transportation Plan*.

Mr. White amended his motion, seconded by Mr. Ewing to include the possibility of moving the existing sidewalk to help improve the drainage issues and to include the partnership between the developer and the Rutledge Trail residents for the possibility of paving Rutledge Trail. The amended motion carried unanimously.

A Public Hearing was held on a request from KB Home Carolinas Division for approval to conditionally rezone two properties totaling +/- 10.67 acres located at Peartree Drive and Parker Lane from R-8 (CD) and R-20 to R-8 (CD) to allow for a residential development "Peartree Townhomes" of 70 townhomes. Ms. Ownbey gave an overview of the request. In May 2019, Council approved R-8 (CD) zoning to allow for a 60-unit affordable apartment development. The property would have to be annexed prior to the connection to City water and sewer. The properties are currently forested with an existing right-of-way for Parker Lane that extends through the property which provides a driveway access to a neighboring residential property. The site-specific plan includes the following amenities & dedications:

- An internal road with 5' sidewalks, with connections to existing sidewalk networks along Baker Lane and S Eighth Street.
- The site plan features +/-2.07 acres of private common open space in addition to a gravel walking path, a sports field, bocce ball and cornhole courts, a shelter, and a dog park, all of which will be HOA-maintained.
- The applicant proposes to pave in the existing Stratford Drive right-of-way in order to connect to existing pavement.

The requested waivers are as follows:

- The Mebane UDO requires a front setback of 25'. The applicant is proposing a 20' front setback.
- The Mebane UDO requires an end-unit, side setback of 15'. The applicant is proposing a 10' side setback.
- The UDO calculates that the applicant shall provide two acres in public recreation area valued at \$70,486 (total tax value of \$376,041 for 10.67 acres or \$35,242.83/acre. The applicant is proposing to provide a payment *in lieu* of the valued amount.

Don Sever, Project Manager with Summit Design and Engineering Services, presented the request on behalf of the applicant. Mr. Sever gave an overview of the project timeline. He reiterated the project details as shared by Ms. Ownbey. He shared renderings of the proposed units and the exterior layout of the six-plex and the four-plex units.

Mr. Bradley commented that the project seems awfully dense in his opinion, just one long continuous row.

Jennifer Newlin, 821 S. Eighth Street, shared concerns with the buffer for the trail that will adjoin her property. She said based on the proposed pine tree buffer; she will be able to see people walking along the trail which is weird. She suggested a hardline of cypress.

Mr. Sever stated that the applicant would be willing to propose a wooden fence along that portion of the property as part of the condition of approval. He also addressed Mr. Bradley's concern, stating that due to the existing right-of-way of Parker Lane through the property, the property was too narrow to support a different layout. Additionally, City staff had expressed a desire to not have several dead-end stubbed out streets within the project because the streets would not be wide enough to allow for emergency vehicle turn around. Mr. Bradley stated that is true but if the developer would drop a few units, there would be room for some green space between the units.

Mr. Ewing made a motion to close the public hearing. The motion carried unanimously.

Ms. Burkholder made a motion, seconded by Mr. White, to approve the R-8 (CD) zoning as presented and finds that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request:

- Is for a property within the City's G-1 Mixed-Use (Cameron Lane) and is residential in nature; and
- Promotes a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1 (pp. 17 & 82)

The motion carried with a 4-1 vote. Ayes- Burkholder, White, Hadley and Ewing. Nays- Bradley

Mr. Brown requested that Mr. White go back to his motion made on the previous public hearing request from Tanner Built Homes, LLC as the approval portion of the motion was not stated. Mr. White added to his motion, seconded by Mr. Bradley, the statement to approve the R-12 (CD) zoning as presented. The motion carried unanimously.

Mr. Brown shared that the City has no ordinance addressing hens and fowl other than its nuisance abatement. There have been a number of recent complaints from residents about chickens. Council took this matter under consideration at the June 6<sup>th</sup> meeting and continued the matter to the July 11<sup>th</sup> meeting to receive public comments. He stated that the proposed ordinance has been amended to reflect discussion from the July 11<sup>th</sup> meeting.

Mr. White stated that the ordinance, as now written, does convey what he was seeking to communicate at the July meeting.

Mr. Bradley said as a reflection on some of the comments made by Mr. Stephenson during the Public Comment Period, these are residential neighborhoods and in the thirty years he has been on Council, Council has never forced annexed any farm, taken their rights away or put them out of business. He said while the ordinance, as written, protects those that want to raise chickens but it does a poor job of protecting those that live in a community that do not want to raise chickens, that did not buy property in an agricultural community. They bought property in a residential community. He then made recommendations to change the ordinance as drafted. He listed the recommendations as follows:

- In section a, the term “hens’ is not interchangeable with turkeys, geese and ducks
- Ten (10) hens per lot up to one (1) acre and where two (2) or more acres exist, twenty (20) chickens are allowed with no more than twenty (20) chickens allowed on any lot(s) in the City

Mr. Bradley stated coop requirements should also be included in the ordinance.

Mr. White said he does not fundamentally disagree but as stated at the previous meetings during these discussions, he wants to make sure that Council is not over regulating. He said this is the third month on this item and as the ordinance is currently written is what is being presented for approval and he hesitates to endorse significant changes as having been discussed.

Mr. Bradley said most people in the City that currently have hens are well under the established amount that has been discussed, the problem lies with the one or two folks that have decided to make it a corporate business.

Ms. Hadley said she still feels the same way she did at last month’s meeting; that no specific hen ordinance is needed because there is a nuisance abatement ordinance already in place and can be enforced by the City’s Code Enforcement Officer.

Mr. Ewing questioned how Code Enforcement has handled the issue so far. He said he has heard of several complaints regarding chickens getting loose.

Mr. Mitchell stated that the Inspections Director is currently on bereavement leave but it has been his understanding that complaints have been received regarding the foul smell, noise and chickens on other people’s property.

Mr. Rollins shared that this specific problem goes back at least three (3) months. He stated the first complaint came in about chickens being loose in the neighborhood. Code Enforcement and Animal Control visited the property and spoke with the property owner and the property owner did have hens that were getting loose. He said it was his understanding that no roof was on the chicken enclosure, so the owner raised the height of the fence which seemed to help, however complaints continued and the next step taken by the property owner after Code Enforcement’s visit was the clipping of the chicken’s wings and then a roof added to the enclosure. He said smell is a hard one but he has heard from three (3) separate people complaining about the foul smell and the noise. He said in the second phase, the concerns came into play because of the number of chickens on this particular property which were estimated to be seventy (70) hens. He concluded his comments stating that not having a specific hen ordinance in place has become a problem.

Mayor Hooks said if the City is going to allow chickens within the City limits, an ordinance definitely needs to be adopted.

Ms. Burkholder said she has concerns with including coop requirements in the ordinance because of how it may affect existing coop owners that have had no complaints against them because they keep their chickens on their own property. She said she has no problem with placing a cap on the number of chickens allowed.

After more discussion among Council and staff, Mr. Bradley made a motion, seconded by Ms. Burkholder, to make the following changes to the proposed ordinances:

- In section a, the term “hens’ is not interchangeable with turkeys, geese and ducks, of which would not be allowed in the City
- Ten (10) hens per lot up to one (1) acre and where two (2) or more acres exist, twenty (20) chickens are allowed with no more than twenty (20) chickens allowed on any lot(s) in the City
- Chicken coops must meet be setback ten (10) feet from the property line and would have to be constructed in the same manner as the wooden fence ordinance

The motion failed with 2-3 vote. Ayes- Mr. Bradley and Ms. Burkholder. Nays- Mr. White, Ms. Hadley and Mr. Ewing.

Mr. Ewing made a motion, seconded by Mr. White, to approve the proposed ordinance as presented with the following change:

- Striking the term “hens’ is not interchangeable with turkeys, geese and ducks

The motion passed with a 3-2 vote. Ayes- Mr. White, Mr. Ewing and Ms. Burkholder. Nays- Mr. Bradley and Ms. Hadley.

A Public Hearing was held on a request from BC Stagecoach, LLC to adopt an Ordinance to Extend the Corporate Limits to include approximately 14.48 acres located on Stagecoach Road in Orange County. Mr. Brown presented the request. He stated that Council accepted the petition and Certificate of Sufficiency at the July meeting. This is the next step in the annexation process. No one from the public spoke concerning the matter.

Mr. Bradley made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Ms. Hadley, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 14.48 acres. The motion carried unanimously.

Mr. Kyle Smith presented requests for Council’s consideration related to the City’s new elevated water storage tank. He stated that the City purchased property at 1500 S. Third Street as the site to build the new 1-million-gallon Elevated Water Storage Tank. He stated that in June 2022, the Utilities Department requested qualifications from qualified professional firms for the engineering services. Two statements of qualifications were received and reviewed. Both firms provided excellent statements of qualifications but Hazen and Sawyer was unanimously selected by the reviewers due to their past experience designing elevated storage tanks and familiarity with Mebane and its distribution system. Mr. Smith went on to explain that the City received an Economic Development Administration (EDA) grant award from the U.S. Department of Commerce Economic Development Administration for the construction of a 1MG elevated water storage tank. In June, the Utilities Department also requested qualifications from qualified professional firms for grant administration services. Two statements of qualifications were received and reviewed. Both firms provided excellent statements of qualifications but McGill Associates was the selected firm based on prior EDA Grant experience.

Ms. Schwartz explained that the Capital Improvement Plan adopted by the Council on June 6, 2022, includes the elevated water tank project. She presented a request for Council’s approval to establish a Capital Project Ordinance as a budget vehicle for the project’s life, along with a reimbursement resolution which will allow the City to reimburse itself for any expenses paid before obtaining the debt proceeds.

Mr. Bradley made a motion, seconded by Ms. Hadley, to award Hazen & Sawyer the engineering services for the elevated storage tank. The motion carried unanimously.

Ms. Burkholder made a motion, seconded by Mr. Bradley, to award McGill Associates the EDA grant administration services for the elevated storage tank. The motion carried unanimously.

Mr. Ewing made a motion, seconded by Mr. White, to approve the capital project ordinance and reimbursement resolution for the Elevated Water Tank as presented. The motion carried unanimously.

**Capital Project Ordinance for the  
City of Mebane Elevated Water Tank Project**

**BE IT ORDAINED** by the Governing Board of the City of Mebane, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is the design and construction of an elevated water tank to be financed by the debt and grant proceeds.

**Section 2:** The officers of this City are hereby directed to proceed with the capital project within the terms of the budget contained herein.

**Section 3:** The following amounts are hereby appropriated for the project:

<b>Appropriations</b>	<b>Project Budget</b>
Administrative and legal expenses	120,000
Architectural and engineering fees	524,000
Construction	5,852,000
Contingencies	585,200
Total Expenses	<u>7,081,200</u>

**Section 4:** The following revenues are anticipated to be available to complete the project:

<b>Revenue</b>	<b>Project Budget</b>
State Capital and Infrastructure Fund (SCIF) Directed Grant (appropriated through the Utility Fund)	150,000
Economic Development Administration (EDA) Grant	2,502,990
Debt Proceeds	<u>4,428,210</u>
Total Revenues	<u>7,081,200</u>

**Section 5:** The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the General Statutes of North Carolina.

**Section 6:** Funds may be advanced from the Utility Fund for the purpose of making payments as due.

**Section 7:** The Finance Officer is hereby directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

**Section 8:** The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

**Section 9:** Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer for direction in carrying out this project.

**Reimbursement Resolution for the Elevated Water Tank Project --  
authorizing the City of Mebane to reimburse itself for early Project expenditures from later  
financing proceeds**

**Introduction --**

The City intends to undertake a Project (as described below), use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The Manager and the Finance Director have advised the Council that it should adopt this resolution to document the City's plans for reimbursement, so as to comply with certain federal tax rules relating to reimbursement from financing proceeds.

**BE IT RESOLVED by the City Council of the City of Mebane, North Carolina, as follows:**

1. The Project is the Elevated Water Tank Project.
2. The City intends to advance funds for initial Project costs, and then reimburse itself from financing proceeds. The expected primary type of financing for the Project (which is subject to change) is an installment purchase agreement. The expected maximum amount of financing expected for the Project (including allowances for reserves and financing costs) is approximately \$7,081,200.
3. Funds for the early Project expenditures may come from the City's Utility Fund, or any other appropriate City fund.
4. The City intends for the adoption of this resolution to be a declaration of its official intent to reimburse itself from financing proceeds for Project cost expenditures.

Mr. Brown explained that the City is expanding the capacity of the waste water recovery facility (WWRF) and anticipates further expansion of the WWRF in the future. The City identified property on Smith Road, Jackson Street and Lee Street owned by 123 Investments, LLC as potentially needed for the expansion of the Waste Water Recovery Facility. The property is contiguous to the WWRF and as such, the ownership of the property should be beneficial for the City. Staff recommends the purchase of the property after usual buyer due diligence for title, soil, environmental and other items, and recommends that the City manager be authorized to sign the agreement on behalf of the City.

Mr. Bradley made a motion, seconded by Ms. Burkholder, that the City purchase the property, contingent upon satisfactory due diligence such as title, soil, environmental and other items and that the City manager be authorized to sign the offer to purchase and contract, on behalf of the City. The motion carried unanimously.

Mr. Brown presented a request similar to the previous as the City has identified an additional property on Jackson Street owned by Marvin Lumpkin which could potentially be needed for the expansion of the WRRF. Staff recommends the purchase of the property after usual buyer due diligence for title, soil, environmental and other items, and recommends that the City manager be authorized to sign the agreement on behalf of the City. Mr. White, made a motion, seconded by Ms. Burkholder, that the City purchase the property, contingent upon satisfactory due diligence such as title, soil, environmental and other items and that the City manager be authorized to sign the offer to purchase and contract, on behalf of the City. The motion carried unanimously.

Ms. Burkholder gave a brief update on the Downtown Main Street Program. She stated that the committee has taken steps to become incorporated and are now the Downtown Mebane Development Corporation (DMDC). They are actively taking job applications for the Director position.

There being no further business, the meeting adjourned at 8:03 p.m.

ATTEST:

\_\_\_\_\_  
Stephanie W. Shaw, City Clerk

\_\_\_\_\_  
Ed Hooks, Mayor



---

## AGENDA ITEM #4B

### Petition for Voluntary Contiguous Annexation- Eleventh Street Apartments

---

#### Meeting Date

September 12, 2022

---

#### Presenter

Lawson Brown, City Attorney

---

#### Public Hearing

Yes  No

---

#### Summary

Staff received a petition requesting voluntary contiguous annexation from Espitia Properties, LLC.

---

#### Background

The applicant is requesting that the described property be annexed into Mebane's Corporate Limits. This is a contiguous annexation containing approximately +/- 8.948 acres located in Orange County on Eleventh Street.

---

#### Financial Impact

The property will be added to the ad valorem tax base of the City once the property is annexed.

---

#### Recommendation

Staff recommends the Council's acceptance of the petition, the Clerk's Certificate of Sufficiency, and to adopt a Resolution setting a date of public hearing for October 3, 2022.

---

#### Suggested Motion

I make a motion to accept the petition, the Clerk's Certificate of Sufficiency, and to adopt a Resolution setting a date of public hearing for October 3, 2022.

---

#### Attachments

1. Petition
2. Clerk's Certificate of Sufficiency
3. Map
4. Resolution



## PETITION REQUESTING A CONTIGUOUS ANNEXATION

### Annexation Process – Approximately a 2 Month Process

1<sup>st</sup> Month- Submit a Petition for Annexation to the City Council, the Clerk reports to City Council the Sufficiency of the Annexation and the City Council adopts a Resolution to set a Public Hearing

2<sup>nd</sup> Month- A Public Hearing is held and normally that same night, the City Council will adopt an Ordinance to set the effective date as the same or the Council will deny the request

### Eleventh Street Apartments

Date: 3/31/2022

To the City Council of the City of Mebane:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Mebane.
2. The area to be annexed is contiguous to the City of Mebane and the boundaries of such territory are as follows:

*\*Please include a Description of Boundaries (Metes and Bounds) on a separate paper.*

- \*\*3.** We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Name	Address	Do you declare vested rights (Yes or No)	Signature
1. Espitia Properties, LLC	PO Box 13882 Durham, NC 27709-3882	No	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <small>DocuSigned by:</small>  <b>Esequiel Espitia</b>  <small>2001F000700F456...</small> </div>
2.			
3.			

\*Municipality may wish to require metes and bounds description or map. (Provide 2 paper copies, an electronic copy and 3 mylars)

\*\*This is one possible format for zoning vested rights declaration. This language may require modification to reflect the requirements of the municipal zoning vested rights ordinance, if any.



CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Mebane, North Carolina:

I, Stephanie W. Shaw, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Mebane, this 12<sup>th</sup> day of September, 2022.



*Stephanie W. Shaw*  
Stephanie W. Shaw, City Clerk

**NOTE "A"**  
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED DURING THIS SURVEY. ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS WHICH MAY AFFECT THE USE OF THIS TRACT.

**NOTE "B"**  
THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ARE BASED ON VISIBLE EVIDENCE AND DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON, AND ADDITIONAL BURIED UTILITIES MAY EXIST. CONTACT THE APPROPRIATE UTILITY COMPANIES FOR INFORMATION REGARDING BURIED UTILITIES.

**NOTE "C"**  
ALL DISTANCES ARE HORIZONTAL GROUND AND AREA BY COORDINATE COMPUTATION.

**NOTE "D"**  
THIS SURVEY WAS DONE WITHOUT A TITLE SEARCH AND IS BASED ON REFERENCED INFORMATION. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH COULD AFFECT THIS PROPERTY.

**NOTE "E"**  
EXCEPT AS SPECIFICALLY STATED OR SHOWN, THIS SURVEY DOES NOT REPORT ANY OF THE FOLLOWING: EASEMENTS, OTHER THAN THOSE VISIBLE DURING FIELD EXAMINATION, BUILDING SETBACKS, RESTRICTIVE COVENANTS, ZONING OR LAND USE REGULATIONS AND ANY FACTS WHICH A TITLE SEARCH MAY DISCLOSE.

**NOTE "F"**  
WETLANDS, JURISDICTIONAL WATERS OR OTHER CONDITIONS WHICH MAY BE REGULATED BY FEDERAL OR STATE OR LOCAL AGENCIES WERE NOT INVESTIGATED DURING THIS SURVEY. RIPARIAN BUFFERS AND OTHER RESTRICTIONS ON DEVELOPMENT MAY BE REQUIRED.

**NOTE "G"**  
THIS PROPERTY IS ON FLOOD ZONE "X", SEE FIRM PANEL 9825 MAP # 3710982500L REVISED 11/17/2017.

**NOTE "H"**  
THIS PROPERTY IS WITHIN THE CAPE FEAR RIVER BASIN.

**NOTE "I"**  
ZONING: "R-8"  
MINIMUM LOT WIDTH: 85 FT  
MAXIMUM BUILDING HEIGHT: 50 FT  
BUILDING FRONT SETBACK: 30 FT  
BUILDING SIDE SETBACK: 10 FT  
BUILDING REAR SETBACK: 20 FT

PROPERTY LINE PER REFERENCED DEEDS  
N88°38'07"E 12.53'  
EXISTING CITY OF MEBANE CORPORATE LIMITS  
NEW CITY OF MEBANE CORPORATE LIMITS (IN) S01°20'52"E 533.82'  
EXISTING CITY OF MEBANE CORPORATE LIMITS  
NEW CITY OF MEBANE CORPORATE LIMITS (IN) S01°20'52"E 533.82'  
PROPERTY LINE PER REFERENCED DEEDS  
NC GRID COORDINATE  
N=852,227.13'  
E=1,923,763.88'

**LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN CHEEK TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT AN EXISTING IRON PIPE IN THE EXISTING CITY OF MEBANE CORPORATE LIMITS, SAID IRON PIPE BEING IN THE SOUTHERN LINE OF THAT PROPERTY OWNED BY OR MEBANE LLC (DEED BOOK 6615, PAGE 1237 ORANGE COUNTY REGISTRY) AND HAVING NC GRID COORDINATES N: 852,227.13', E: 1,923,763.88' NAD 83/11 AS DETERMINED BY AN ACTUAL GPS SURVEY (COMBINED GRID FACTOR 0.99995159); THENCE WITH THE SOUTHERN LINE OF OR MEBANE LLC AND PROCEEDING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS THE FOLLOWING TWO (2) CALLS 1) N 89°22'14" W 4.40' TO A CALCULATED POINT AT THE SOUTHWEST CORNER OF OR MEBANE LLC, 2) ALONG THE WESTERN LINE OF OR MEBANE LLC, CITY OF MEBANE (DEED BOOK 3282, PAGE 168 ORANGE COUNTY REGISTRY) AND FRANK E. MAJORS (DEED BOOK 1288, PAGE 108 ORANGE COUNTY REGISTRY) N 01°08'03" W 533.32' MORE OR LESS TO A CALCULATED POINT AT THE NORTHWEST CORNER OF THAT PROPERTY OWNED BY FRANK E. MAJORS, THENCE LEAVING THE EXISTING CITY OF MEBANE CORPORATE LIMITS AND PROCEEDING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS ALONG FRANK E. MAJORS NORTHERN LINE N 88°38'07" E 12.53' TO A CALCULATED POINT, SAID POINT MARKING THE EASTERN RIGHT OF WAY OF ELEVENTH STREET THENCE CONTINUING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS AND WITH THE EASTERN RIGHT OF WAY OF ELEVENTH STREET THENCE ALONG AND WITH THE SOUTHERN LINE OF OR MEBANE LLC AND CONTINUING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS THE FOLLOWING THREE (3) CALLS 1) S 89°25'28" E 5.23' TO AN EXISTING IRON PIPE, 2) N 89°14'28" E 160.85' TO AN EXISTING IRON PIPE, 3) N 01°05'37" W 13.87' TO AN EXISTING IRON PIPE, SAID IRON PIPE MARKING THE SOUTHWEST CORNER OF THAT PROPERTY OWNED BY AUBREY A. & CELINE W. MEADOR (DEED BOOK 6418, PAGE 296 ORANGE COUNTY REGISTRY); THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS AND WITH THE SOUTHERN LINE OF AUBREY A. & CELINE W. MEADOR S 89°54'18" E 406.29' TO A CALCULATED POINT AT A SOUTHWEST CORNER OF THAT PROPERTY OWNED BY MARTIN C. BEAN (DEED BOOK 4572, PAGE 3 ORANGE COUNTY REGISTRY); THENCE LEAVING THE EXISTING CITY OF MEBANE CORPORATE LIMITS AND PROCEEDING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH A SOUTHERN LINE OF MARTIN C. BEAN S 89°54'18" E 196.79' TO AN EXISTING IRON PIPE, SAID IRON PIPE BEING THE NORTHERN END OF A WESTERN LINE OF THAT PROPERTY OWNED BY MARTIN C. BEAN (DEED BOOK 4572, PAGE 3 ORANGE COUNTY REGISTRY); THENCE CONTINUING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH MARTIN C. BEAN S 09°41'02" W 466.87' TO AN EXISTING IRON PIPE IN THE EXISTING CITY OF MEBANE CORPORATE LIMITS, SAID IRON PIPE BEING IN THE NORTHERN LINE OF THAT PROPERTY OWNED BY ELIZABETH S. WOODY (DEED BOOK 6656, PAGE 160 ORANGE COUNTY REGISTRY); THENCE LEAVING THE NEW CITY OF MEBANE CORPORATE LIMITS AND PROCEEDING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH THE NORTHERN LINE OF ELIZABETH S. WOODY S 88°41'03" W 115.93' TO AN EXISTING IRON PIPE, SAID IRON PIPE MARKING THE NORTHEAST CORNER OF THAT PROPERTY OWNED BY CEDAR HILL APARTMENTS LLC (DEED BOOK 4444, PAGE 457 ORANGE COUNTY REGISTRY); THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH THE NORTHERN LINE OF CEDAR HILL APARTMENTS LLC S 88°43'24" W 630.01' TO AN EXISTING IRON PIPE, SAID IRON PIPE MARKING THE NORTHWEST CORNER OF CEDAR HILL APARTMENTS LLC; THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS S 89°03'17" W 6.52' TO A CALCULATED POINT, SAID POINT MARKING THE EASTERN RIGHT OF WAY OF ELEVENTH STREET; THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS S 89°03'17" W 4.55' TO A NEW IRON PIPE SET, SAID IRON PIPE, SAID IRON PIPE BEING IN THE EXISTING CITY OF MEBANE CORPORATE LIMITS, THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS N 02°01'33" W 489.92' BACK TO THE POINT AND PLACE OF BEGINNING, CONTAINING 8.498 ACRES OR 0.0133 SQUARE MILES MORE OR LESS, AS SHOWN ON PLAT ENTITLED "FINAL PLAT OF CONTIGUOUS VOLUNTARY ANNEXATION FOR CITY OF MEBANE CORPORATE LIMITS EXTENSION".  
PROPERTY AS DESCRIBED IN DEED BOOK 6708, PAGE 1354, ORANGE COUNTY REGISTRY, STANDING IN THE NAME OF ESPITIA PROPERTIES, LLC, BY THOMAS A. TELLUP, PLS. SUMMIT DESIGN AND ENGINEERING SERVICES PROJECT 20-0162, DATED JULY 28, 2022, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAME.  
SEE RIGHT OF WAY DOCUMENTS; DEED BOOK 211 PAGE 248, DEED BOOK 211 PAGE 249, & DEED BOOK 211 PAGE 253.

NATHANIEL SOMERS & LUCAS TAYLOR  
PIN # 9825328739  
DB 6704/1998  
PB 122/55 LOT 3

FRANK E. MAJORS  
PIN # 9825327608  
DB 1288/106  
DB 211/253 R/W

CITY OF MEBANE  
PIN # 9825327507  
DB 3282/166  
DB 211/249 R/W

OR MEBANE LLC.  
PIN # 9825326388  
DB 6615/1237  
DB 211/248 R/W

AUBREY A. & CELINE W. MEADOR  
PIN # 9825329585  
DB 6418/296

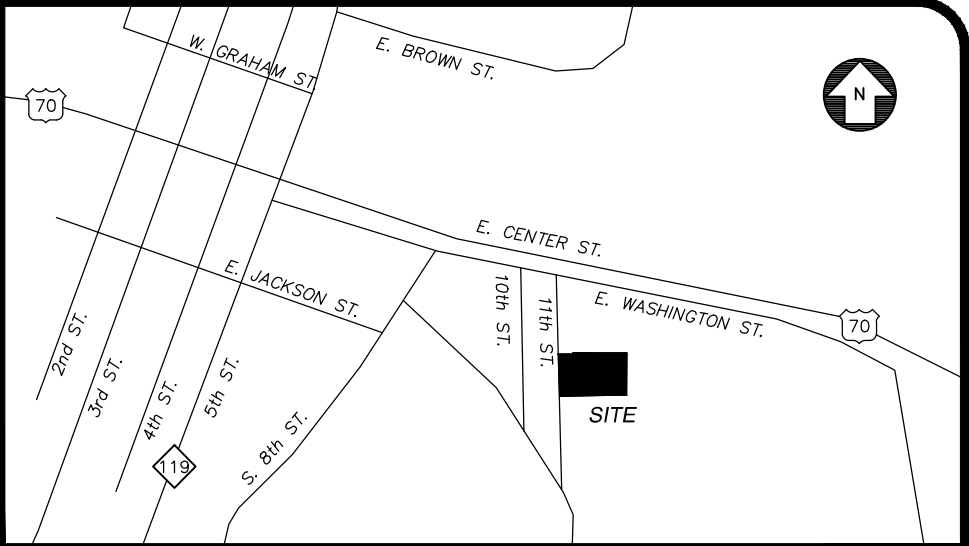
MARTIN C. BEAN  
PIN # 9825425334  
DB 4572/3

ESPITIA PROPERTIES LLC.  
PIN # 9825410961  
DB 6708/1354  
DB 211/248 R/W

MARTIN C. BEAN  
PIN # 9825425334  
DB 4572/3

TOTAL AREA TO BE ANNEXED  
8.498 ACRES  
0.0133 Sq. MILES

TOTAL AREA TO BE ANNEXED  
8.332 ACRES  
0.0129 Sq. MILES



**PLANNING DIRECTOR CERTIFICATION**

THIS TRACT OF LAND IS WITHIN THE CITY OF MEBANE'S JURISDICTION. NO APPROVAL IS REQUIRED OF THE PLANNING BOARD OR CITY COUNCIL UNDER SECTION 50.2 (C) OF THE CODE OF ORDINANCES.

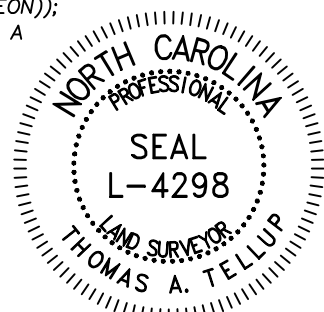
PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

I, THOMAS A. TELLUP, N.C.P.L.S. #4298, CERTIFY THAT NC GRID TIE DATA SHOWN ON THIS PLAT WAS OBTAINED FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: 'A'
- (2) POSITIONAL ACCURACY: 0.07"
- (3) TYPE OF GPS FIELD PROCEDURE: VRS
- (4) DATES OF SURVEY: 01/29/2021
- (5) DATUM/EPOCH: NAD 83/2011
- (6) PUBLISHED/FIXED CONTROL USED: HELD VRS
- (7) GEOID MODEL: 2018
- (8) COMBINED GRID FACTOR: 0.99995159
- (9) UNITS: US SURVEY FEET

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE:  
G.S. 47-30 (F)(11)(D). THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

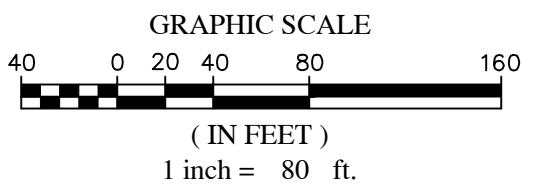
"I, THOMAS TELLUP, PLS NO. 4298, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK/PAGE: (AS NOTED HEREON) OR OTHER REFERENCE SOURCE: (AS NOTED HEREON)); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED IN A BROKEN LINETYPE AS DRAWN FROM INFORMATION IN BOOK/PAGE: (AS NOTED HEREON) OR OTHER REFERENCE SOURCE: (AS NOTED HEREON); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 28th DAY OF FEBRUARY 2022.



**PRELIMINARY PLAT**

Not for Recordation, Conveyance or Sales  
PROFESSIONAL LAND SURVEYOR L-4298

SUMMIT DESIGN & ENGINEERING, SERVICES, PLLC.  
REG. NUMBER P-033



PROPERTY LINE	_____
LINE NOT SURVEYED	_____
RIGHT OF WAY LINE	_____

N:\2020\20-0162\0162\_ANNEX.dwg - Survey\DWG - SURVEY\20-0162\_ANNEX.dwg 18X24 7/28/2022 5:27 PM

**COPYRIGHT © 2022**  
SUMMIT  
DESIGN AND ENGINEERING  
DRAWING ALTERATION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF LICENSED ARCHITECT, PROFESSIONAL ENGINEER, LANDSCAPE ARCHITECT, OR LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX HIS OR HER SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

PROPERTY ADDRESS S 11TH ST MEBANE, NC 27302	PIN 982541096
REFERENCES DEED BOOK 6708/1354	REFERENCES DEED BOOK 6708/1354
PROJECT MANAGER TT	PROJECT MANAGER TT
DRAWN BY TT	DRAWN BY TT

**LEGEND**

- IRON ROD OR PIPE SET
- EXISTING MONUMENT FOUND; IRON ROD OR PIPE UNLESS OTHERWISE DESCRIBED
- △ MATHEMATICAL POINT; NO MONUMENT SET
- CONCRETE MONUMENT
- EIP EXISTING IRON PIPE

**FINAL PLAT OF:**  
**CITY OF MEBANE CORPORATE LIMITS EXTENSION & VOLUNTARY CONTIGUOUS ANNEXATION**  
CHEEK'S TWP., ORANGE CO., NORTH CAROLINA  
FIELD WORK PERFORMED JANUARY 3, 2021  
PROPERTY AS DESCRIBED IN DEED BOOK 6708 PAGE 1354  
STANDING IN THE NAME OF  
ESPITIA PROPERTIES LLC.

License #: P-0339  
320 Executive Court  
Hillsborough, NC 27278-8551  
Voice: (919) 732-3883 Fax: (919) 732-6676  
www.summitde.com

PROJECT NO.  
**20-0162**  
DRAWING NO.  
**20-0162\_ANNEX**

RESOLUTION FIXING DATE OF PUBLIC HEARING ON  
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Glendel Stephenson Municipal Building at 6:00 p.m. on October 3, 2022.

Section 2. The area proposed for annexation is described as follows:  
A PARCEL OF LAND LOCATED IN CHEEKS TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIPE IN THE EXISTING CITY OF MEBANE CORPORATE LIMITS, SAID IRON PIPE BEING IN THE SOUTHERN LINE OF THAT PROPERTY OWNED BY OR MEBANE LLC. (DEED BOOK 6615, PAGE 1237 ORANGE COUNTY REGISTRY) AND HAVING NC GRID COORDINATES N: 852,227.13', E: 1,923,763.88' NAD 83/11 AS DETERMINED BY AN ACTUAL GPS SURVEY (COMBINED GRID FACTOR 0.99995159); THENCE WITH THE SOUTHERN LINE OF OR MEBANE LLC. AND PROCEEDING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS THE FOLLOWING TWO (2) CALLS 1) N 89° 22' 14" W 4.40' TO A CALCULATED POINT AT THE SOUTHWEST CORNER OF OR MEBANE LLC., 2) ALONG THE WESTERN LINES OF OR MEBANE LLC., CITY OF MEBANE (DEED BOOK 3282, PAGE 166 ORANGE COUNTY REGISTRY) AND FRANK E. MAJORS (DEED BOOK 1288, PAGE 106 ORANGE COUNTY REGISTRY) N 01° 08' 03" W 533.32' MORE OR LESS TO A CALCULATED POINT AT THE NORTHWEST CORNER OF THAT PROPERTY OWNED BY FRANK E. MAJORS, THENCE, LEAVING THE EXISTING CITY OF MEBANE CORPORATE LIMITS AND PROCEEDING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS ALONG FRANK E. MAJORS NORTHERN LINE N 88° 38' 07" E 12.53' TO A CALCULATED POINT, SAID POINT MARKING THE EASTERN RIGHT OF WAY OF ELEVENTH STREET THENCE CONTINUING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS AND WITH THE EASTERN RIGHT OF WAY OF ELEVENTH STREET S 01° 20' 52" E 533.82' MORE OR LESS TO A CALCULATED POINT IN THE SOUTHERN LINE OF OR MEBANE LLC. THENCE ALONG AND WITH THE SOUTHERN LINE OF OR MEBANE LLC. AND CONTINUING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS THE FOLLOWING THREE (3) CALLS 1) S 89° 25' 28" E 5.23' TO AN EXISTING IRON PIPE, 2) N 89° 34' 28" E 160.85' TO AN EXISTING IRON PIPE, 3) N 01° 05' 37" W 13.87' TO AN EXISTING IRON PIPE, SAID IRON PIPE MARKING THE SOUTHWEST CORNER OF THAT PROPERTY OWNED BY AUBREY A. & CELINE W. MEADOR (DEED BOOK 6418, PAGE 296 ORANGE COUNTY REGISTRY); THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH THE SOUTHERN LINE OF AUBREY A. & CELINE W. MEADOR S 89° 54' 18" E 406.29' TO A CALCULATED POINT AT A SOUTHWEST CORNER OF THAT PROPERTY OWNED BY MARTIN C. BEAN (DEED BOOK 4572, PAGE 3 ORANGE COUNTY REGISTRY); THENCE LEAVING THE EXISTING CITY OF MEBANE CORPORATE LIMITS AND PROCEEDING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH A SOUTHERN LINE OF MARTIN C. BEAN S 89° 54' 18" E 196.79' TO AN EXISTING IRON PIPE, SAID IRON PIPE BEING THE NORTHERN END OF A WESTERN LINE OF THAT PROPERTY OWNED BY MARTIN C. BEAN (DEED BOOK 4572, PAGE 3 ORANGE COUNTY REGISTRY); THENCE CONTINUING WITH THE NEW CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH MARTIN C. BEAN S 00° 41' 02" W 466.67' TO AN EXISTING IRON PIPE IN THE EXISTING CITY OF MEBANE CORPORATE LIMITS, SAID IRON PIPE BEING IN THE NORTHERN LINE OF THAT PROPERTY OWNED BY ELIZABETH S. WOODY (DEED BOOK 6656, PAGE 1690 ORANGE COUNTY REGISTRY); THENCE LEAVING THE NEW CITY OF MEBANE CORPORATE LIMITS AND PROCEEDING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH THE NORTHERN LINE OF ELIZABETH S. WOODY S 88° 41' 03" W 115.93' TO AN EXISTING IRON PIPE, SAID IRON PIPE MARKING THE NORTHEAST CORNER OF THAT PROPERTY OWNED BY CEDAR HILL APARTMENTS LLC. (DEED BOOK 4444, PAGE 457 ORANGE COUNTY REGISTRY); THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS ALONG AND WITH THE NORTHERN LINE OF CEDAR HILL APARTMENTS LLC. S 88° 43' 24" W 630.01' TO AN EXISTING IRON PIPE, SAID IRON PIPE MARKING THE NORTHWESTERN CORNER OF CEDAR HILL APARTMENTS LLC., THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS S 89° 03' 17" W 6.52' TO A CALCULATED

POINT, SAID POINT MARKING THE EASTERN RIGHT OF WAY OF ELEVENTH STREET, THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS S 89° 03' 17" W 4.55' TO A NEW IRON PIPE SET, SAID IRON PIPE, SAID IRON PIPE BEING IN THE EXISTING CITY OF MEBANE CORPORATE LIMITS, THENCE CONTINUING WITH THE EXISTING CITY OF MEBANE CORPORATE LIMITS N 02° 01' 33" W 469.92' BACK TO THE POINT AND PLACE OF BEGINNING, CONTAINING 8.498 ACRES OR 0.0133 SQUARE MILES MORE OR LESS. AS SHOWN ON PLAT ENTITLED "FINAL PLAT OF CONTIGUOUS VOLUNTARY ANNEXATION FOR CITY OF MEBANE CORPORATE LIMITS EXTENSION". PROPERTY AS DESCRIBED IN DEED BOOK 6708, PAGE 1354, ORANGE COUNTY REGISTRY, STANDING IN THE NAME OF ESPITIA PROPERTIES, LLC, BY THOMAS A. TELLUP, PLS, SUMMIT DESIGN AND ENGINEERING SERVICES PROJECT 20-0162, DATED JULY 28, 2022, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAME.  
SEE RIGHT OF WAY DOCUMENTS; DEED BOOK 211 PAGE 248, DEED BOOK 211 PAGE 249, & DEED BOOK 211 PAGE 253.

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

---

Ed Hooks, Mayor

ATTEST:

---

Stephanie W. Shaw, City Clerk



---

## AGENDA ITEM #4C

### FY21-22 Asset Disposals

---

#### Meeting Date

September 12, 2022

---

#### Presenter

Finance Director

---

#### Public Hearing

Yes  No

---

#### Summary

Per the City Code, the City Council shall receive a list of disposed assets for informational purposes.

---

#### Background

Per the City Code (Sec. 2-181 – 2-184) and in compliance with North Carolina General Statute 160A-266(c), the City Manager is authorized to dispose of any surplus personal property owned by the city whenever he determines, in his discretion, that has a fair market value of less than \$30,000, is no longer necessary for the conduct of public business, and sound property management principles and financial considerations indicate that the interests of the city would best be served by disposing of the property.

---

#### Financial Impact

All but one of the disposed of assets are fully depreciated, with \$470.28 of value remaining. The sale proceeds for all assets were \$14,590.

---

#### Recommendation

Accept the asset disposal report.

---

#### Suggested Motion

Motion to accept the asset disposal report as presented.

---

#### Attachments

1. Disposed Asset Listing Report



Mebane, NC

# Disposed Asset Listing Report

By Asset ID

Disposed Date: 7/1/2021-6/30/2022

Disposed Assets: 6

Asset ID	Description	Primary Location	Class	Category	Disposed Date	Disposed Amount	Net Asset Value
<b>Department: 5100 - POLICE</b>							
<a href="#">387</a>	2012 CHEVROLET CAPRICE M-17	POLICE	POLICE	VEHICLE	06/30/2022	0.00	0.00
<a href="#">388</a>	2012 CHEVROLET CAPRICE M-05	POLICE	POLICE	VEHICLE	06/30/2022	0.00	0.00
<b>Department 5100 Totals:</b>						<b>0.00</b>	<b>0.00</b>
<b>Department: 5500 - PUBLIC WORKS</b>							
<a href="#">394</a>	TIGER CAT ZERO TURN MOWER 52"	PW	MOWER	EQUIP	12/01/2021	470.28	0.00
<b>Department 5500 Totals:</b>						<b>470.28</b>	<b>0.00</b>
<b>Department: 8200 - UTILITY MAINTENANCE</b>							
<a href="#">166</a>	1996 Kubota Tractor-71430	PW	SEWER HEAVY	EQUIP	12/17/2021	0.00	0.00
<a href="#">235</a>	1991 FORD TRUCK F700 FLATBED SAN-34	GAR	WATER HEAVY	VEHICLE	12/01/2021	0.00	0.00
<a href="#">858</a>	25 HP 61" SNAPPER LAWNMOWER	PW	SEWER MOWER	EQUIP	12/17/2021	0.00	0.00
<b>Department 8200 Totals:</b>						<b>0.00</b>	<b>0.00</b>
<b>Grand Totals:</b>						<b>470.28</b>	<b>0.00</b>

### Disposed Asset Summary

<b>Department</b>	<b>Disposed Amount</b>	<b>Net Asset Value</b>
5100 - POLICE	0.00	0.00
5500 - PUBLIC WORKS	470.28	0.00
8200 - UTILITY MAINTENANCE	0.00	0.00
<b>Disposed Totals:</b>	<b>470.28</b>	<b>0.00</b>



## AGENDA ITEM #4D

### Budget and Capital Project Ordinance Amendments

#### Presenter

Daphna Schwartz, Finance Director

#### Public Hearing

Yes  No

#### Summary

Capital Project Ordinance Amendment 3 for the WRRF Expansion Project and a 2022-2023 Budget Ordinance Amendment is attached for Council approval.

#### Background

At the August 2, 2022, meeting, the City Council approved acquiring property on Smith Road and Jackson Street and Lee Street for the Water Resource Recovery Facility's expansion in the amount of \$250,000. The attached project ordinance is amended to include funds for the purchase.

At the April 4, 2022, meeting, the City Council approved pursuing State Asset Inventory and Assessment (AIA) funding assistance (grant). The State awarded the grant to the City, so the funds need to be added to the budget to use the proceeds. The grant award is \$300,000.

Every year the city has some funding that needs to be carried forward to the next fiscal year due to ongoing projects. The carryforward requests from FY21-22 to FY22-23 are the following:

Project	Amount
Giles Street Pocket Park	\$15,000.00
Main Street Program	16,000.00
Downtown Façade City Grants	43,410.00
First Street Pocket Park	79,189.00
GKN Pump Station Re-Route	1,853,159.00
Total	\$2,006,758.00

#### Financial Impact

A fund balance appropriation in the Utility Fund of \$250,000 will transfer to the WRRF Expansion Capital Project Ordinance. A fund balance appropriation in the General Fund of \$2,006,758, and a grant revenue increase of \$300,000 will increase the overall budget. The GKN Pump Station Re-Route is funded by revenue bonds issued in September 2021.

#### Recommendation

Staff recommends approving the WRRF Expansion Capital Project Ordinance Amendment 3 and the Budget Ordinance Amendment.



**Suggested Motion**

Move to approve the WRRF Expansion Capital Project Ordinance Amendment 3 and the Budget Ordinance Amendment as presented.

---

**Attachments**

1. Capital Project Ordinance Amendment 3 – WRRF Expansion Project
2. Budget Ordinance Amendment

**Capital Project Ordinance for the City of Mebane  
Water Resource Recovery Facility Expansion  
Amendment 3**

**BE IT ORDAINED** by the Governing Board of the City of Mebane, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is the design and construction of Water Resource Recovery Facility 0.5 MGD Expansion to be financed by Utility Fund reserves and a State Revolving Fund or Revenue Bonds.

**Section 2:** The officers of this City are hereby directed to proceed with the capital project within the terms of the budget contained herein.

**Section 3:** The following amounts are hereby appropriated for the project:

	Project Budget
Design & Engineering	\$ 3,525,000
Land Purchase	<u>250,000</u>
	\$ 3,775,000

**Section 4:** The following revenues are anticipated to be available to complete the project:

	Project Budget
Transfer from Utility Fund	\$ 3,775,000

**Section 5:** The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the General Statutes of North Carolina.

**Section 6:** Funds may be advanced from the Water and Sewer Fund for the purpose of making payments as due.

**Section 7:** The Finance Officer is hereby directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

**Section 8:** The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

**Section 9:** Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer for direction in carrying out this project.

This is the 12<sup>th</sup> day of September 2022.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2022 as duly adopted on June 6, 2022, is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Change	Revised Budget
Utility Fund - Utilities Maintenance	\$ 4,776,028	\$ 2,153,159	\$ 6,929,187
General Fund - Downtown Development	\$ 150,000	\$ 59,410	\$ 209,410
General Fund - Public Facilities	\$ 873,699	\$ 15,000	\$ 888,699
General Fund - Recreation & Parks	\$ 2,557,187	\$ 79,189	\$ 2,636,376

ARTICLE II

REVENUES	Current Budget	Change	Revised Budget
Utility Fund - Appropriated Fund Balance	\$ 1,601,044	\$ 1,853,159	\$ 3,454,203
Utility Fund - All Other Revenues	\$ 980,785	\$ 300,000	\$ 1,280,785
General Fund - Appropriated Fund Balance	\$ 3,857,716	\$ 153,599	\$ 4,011,315

This the 12th day of September, 2022.



# AGENDA ITEM #4E

SUB 22-03

Final Subdivision Plat  
Bowman Village, Phase N2

REAPPROVAL

Presenter Ashley Ownbey, Interim Development Director

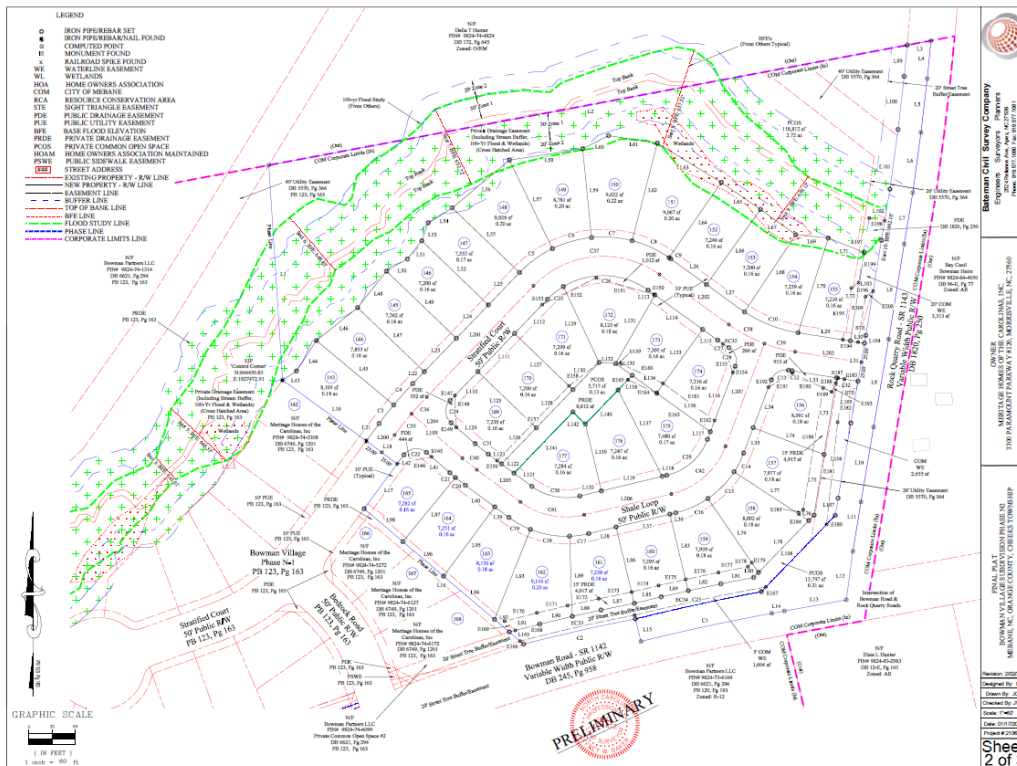
### Applicant

Meritage Homes of the Carolinas, Inc.  
3300 Paramount Parkway  
Suite #120  
Morrisville, NC 27560

### Public Hearing

Yes  No

## Final Plat



### Property

Bowman Village,  
Orange County

GPINs  
9824748580

### Proposed Zoning

N/A

### Current Zoning

R-12 (CD)

### Size

+/-11.152 ac

### Surrounding Zoning

R-12(CD) and  
O/RM & AR  
(Orange County)

### Surrounding Land Uses

Single-Family  
Residential,  
Vacant

### Utilities

Extended at  
developer's  
expense.

### Floodplain

Yes

### Watershed

No

### City Limits

Yes

---

### Summary

Meritage Homes of the Carolinas, Inc., is requesting approval of the Final Plat for Phase N2 of the Bowman Village Subdivision (approved for conditional rezoning as a cluster subdivision by City Council 06/03/19). The Final Plat will include a total area of +/-11.152 acres featuring 32 single-family lots of +/- 5.683 acres, +/-3.1755 acres of open space (inc. FEMA floodplain), and +/-2.293 acres and +/-1,386 linear feet of dedicated right of way.

The Technical Review Committee (TRC) has reviewed the Final Plat and the applicant has revised the plan to reflect comments. All infrastructure must be completed and approved to meet the City of Mebane specifications. All infrastructure not completed shall be bonded or a letter of credit provided prior to recordation.

This major subdivision plat was originally approved by the City Council at its March 7, 2022, meeting and reapproved at its June 6, 2022, meeting.

---

### Financial Impact

The developer has extended utilities at his own expense.

---

### Recommendation

Staff recommends approval of the Final Plat.

---

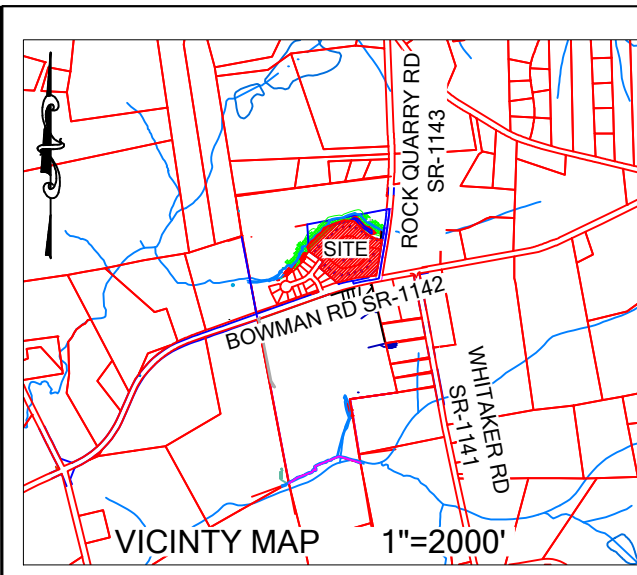
### Suggested Motion

Motion to approve the final plat as presented.

---

### Attachments

1. Final Plat



**Owner Information:**  
 Meritage Homes of the Carolinas, Inc  
 919-926-2600  
 8800 E Raintree #300  
 Scottsdale, AZ, 85260  
 DB 6750, Pg 2074

**REFERENCES**  
 -DEED BOOK 6750, PAGE 2074  
 -PLAT BOOK 123, PAGE 163

**NOTES:**

- This survey was prepared by Bateman Civil Survey Co., under the supervision of Jeffrey W. Baker, PLS.
- Property lines shown were taken from existing field evidence, existing deeds and/or plats of public record, and information supplied to the surveyor by the client
- All distances are horizontal ground distances and all bearings are based from NAD 83' unless otherwise shown.
- Areas by coordinate method.
- Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
- No evidence of cemeteries were observed at the time of survey.
- No Grid Monuments found within 2000'.
- FEMA Designated Floodplain: 'X' (Map 3710982400L, Date 11/17/2017)
- Flood Study provided to Bateman Civil Survey Company from Meritage Homes of the Carolinas, Inc.
- Date of survey: December 2021

**PARCEL DATA:**  
 PIN# 9824-74-8580  
 Deed Book 6750, Page 2074  
 Plat Book 123, Page 163  
 Zoned: R-12 (Conditional)  
 River Basin: Cape Fear

**Certificate of Ownership and Dedication.**  
 This certifies that the undersigned is (are) the owner(s) of the property shown on this map, having acquired title to it by deed(s) recorded in the Alamance/Orange County, North Carolina Register of Deeds otherwise as shown below and that by submission of this plat or map for approval, I/we do dedicate to the City of Mebane for public use all streets, easements, rights-of-way and parks shown thereon for all lawful purposes to which the city may devote or allow the same to be used and upon acceptance thereof and in accordance with all city policies, ordinances and regulations or conditions of the City of Mebane for the benefit of the public, this dedication shall be irrevocable. Also, all private streets shown on this map, if any, are to be available for public use.

Provided, however, the "Common Elements" shown hereon expressly are not dedicated hereby for use by the general public, but are to be conveyed by Meritage Homes of the Carolinas, Inc to Bowman Village Homeowners Association, Inc. for the use and enjoyment of the members thereof pursuant to the terms of that certain Declaration of Covenants, Conditions and Restrictions for \_\_\_\_\_ recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County Registry, the terms and provisions of which are incorporated herein by this reference.

\_\_\_\_\_ by the recordation of this Plat, hereby gives, grants and conveys to a Utility and the City of Mebane, their respective successors and assigns, rights-of-way and easements to maintain and service their respective wires, lines, conduits, and pipes in their present locations within the "Common Elements" as shown hereon together with the right of ingress and egress over and upon said "Common Elements" for the purpose of maintaining and servicing wires, lines, conduits, and pipes.'

Owner _____	Date _____
Owner _____	Date _____
(Notarized) _____	Date _____
Book No. _____	Page No. _____

**Site Data:**  
 Zoning: R-12 (Conditional) (Cluster Subdivision)  
 Approved 06/03/2019 by Mebane City Council

**Setbacks:**  
 Front: 20 Feet  
 Side: 5 Feet  
 Side (Corner): 10 Feet  
 Rear: 20 Feet

Phase N2 Area: 485,787 sf / 11.1521 ac  
 New Road Centerline Phase N2: 1,386 Linear Feet

Phase N2 Number of Lots: 32  
 Phase N2 Lot Area: 246,930 sf / 5.6687 ac  
 Phase N2 R/W Dedication: 99,897 sf / 2.2933 ac  
 Phase N2 Open Space: 138,960 sf / 3.1901 ac

"I, Jeffrey W. Baker, certify that this plat was drawn under my supervision from an actual survey made under my supervision (Book 6750, Page 2074); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 123, Page 163; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. witness my original signature, license number and seal this 1st day of September, A.D. 2021."

**PRELIMINARY**

\_\_\_\_\_  
 Professional Land Surveyor  
 License Number-4412

I, Jeffrey W. Baker, Professional Land Surveyor No. L-4412 certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Jeffrey W. Baker, PLS L-4412 \_\_\_\_\_ date



I, \_\_\_\_\_ the City Clerk of Mebane, North Carolina, do certify that the City of Mebane approved this plat or map and accepted the dedication of the streets, easements, rights-of-way and public parks shown thereon, but assumes no responsibility to open or maintain the same, until in the opinion of the City Council of the City of Mebane it is in the public interest to do so.

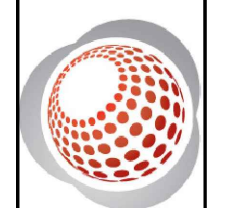
Date \_\_\_\_\_ City Clerk

State of North Carolina  
 County of Orange

I, \_\_\_\_\_, Review Officer of Orange County, certify that this map or plat to which this certification is affixed meets all statutory requirements for recording for which the Review Officer has responsibility as provided by law.

Review Officer  
 Orange County Land Records / GIS

Date of Certification \_\_\_\_\_



**Bateman Civil Survey Company**  
 Engineers Surveyors Planners  
 2524 Reliance Ave., Apex, NC 27539  
 Phone: 919.577.1080 Fax: 919.577.1081  
 NCBELS FRM No. C-2378

OWNER  
 MERITAGE HOMES OF THE CAROLINAS, INC.  
 3300 PARAMOUNT PARKWAY #120, MORRISVILLE, NC, 27560

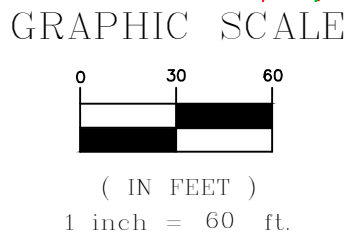
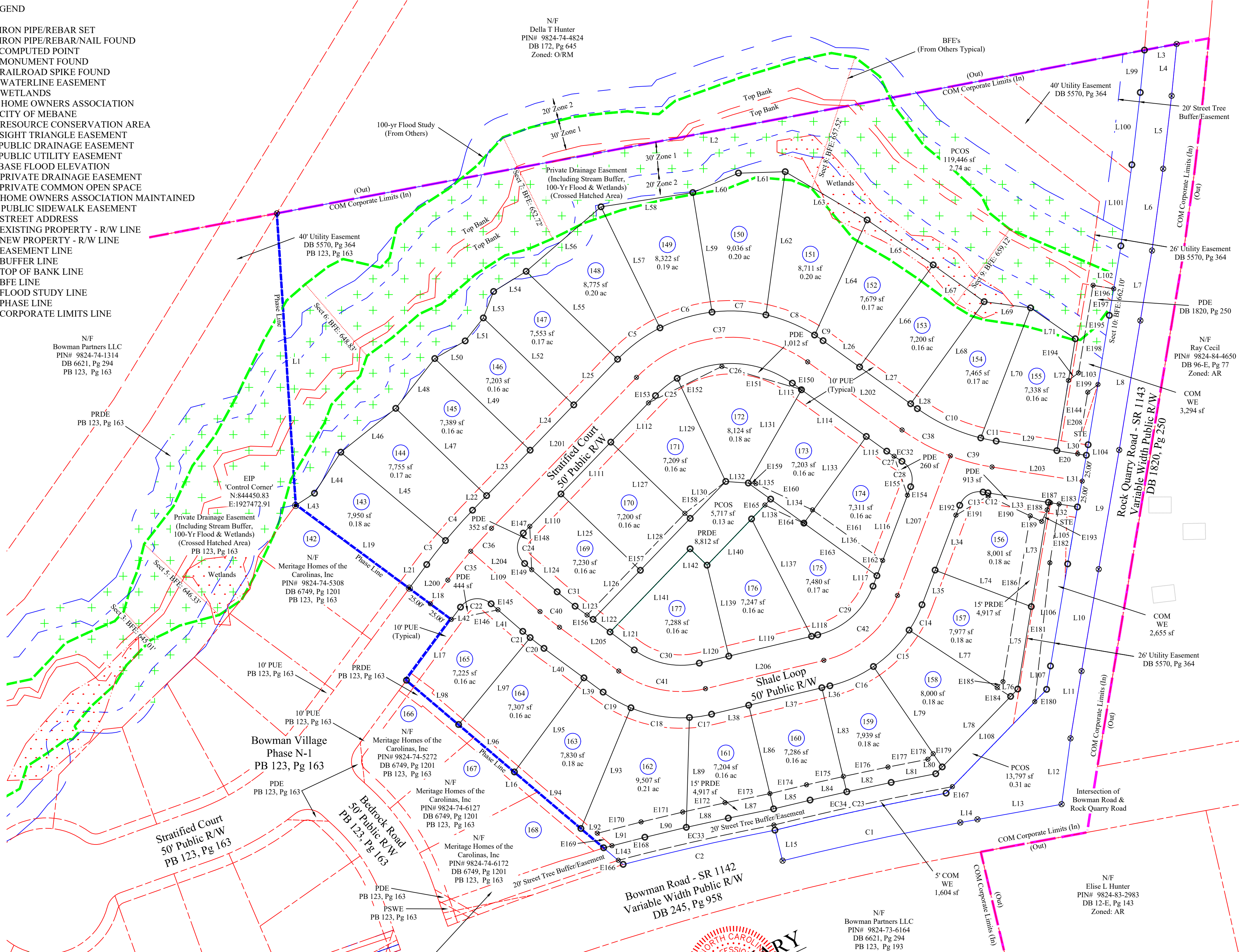
FINAL PLAT  
 BOWMAN VILLAGE SUBDIVISION PHASE N2  
 MEBANE, NC, ORANGE COUNTY, CHEEKS TOWNSHIP


RE : 03/02/22  
 Designed By: N/A  
 Drawn By: JCH  
 Checked By: JWB  
 Scale: n/a  
 Date: 01/17/2022  
 Project #: 210632



LEGEND

- IRON PIPE/REBAR SET
- ⊙ IRON PIPE/REBAR/NAIL FOUND
- ⊕ COMPUTED POINT
- ⊗ MONUMENT FOUND
- x RAILROAD SPIKE FOUND
- WE WATERLINE EASEMENT
- WL WETLANDS
- HOA HOME OWNERS ASSOCIATION
- COM CITY OF MEBANE
- RCA RESOURCE CONSERVATION AREA
- STE SIGHT TRIANGLE EASEMENT
- PDE PUBLIC DRAINAGE EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- BFE BASE FLOOD ELEVATION
- PRDE PRIVATE DRAINAGE EASEMENT
- PCOS PRIVATE COMMON OPEN SPACE
- HOAM HOME OWNERS ASSOCIATION MAINTAINED
- PSWE PUBLIC SIDEWALK EASEMENT
- ### STREET ADDRESS
- - - EXISTING PROPERTY - R/W LINE
- NEW PROPERTY - R/W LINE
- - - EASEMENT LINE
- - - BUFFER LINE
- - - TOP OF BANK LINE
- - - BFE LINE
- - - FLOOD STUDY LINE
- - - PHASE LINE
- - - CORPORATE LIMITS LINE





**Bateman Civil Survey Company**  
 Engineers Surveyors Planners  
 2524 Reliance Ave., Apex, NC 27539  
 Phone: 919.577.1080 Fax: 919.577.1081  
 NCBELS FIRM No. C-2378

---

OWNER  
 MERITAGE HOMES OF THE CAROLINAS, INC.  
 3300 PARAMOUNT PARKWAY #120, MORRISVILLE, NC, 27560

---

FINAL PLAT  
 BOWMAN VILLAGE SUBDIVISION PHASE N2  
 MEBANE, NC, ORANGE COUNTY, CHEEKS TOWNSHIP

---

Designed By: N/A  
 Drawn By: JCH  
 Checked By: JWB  
 Scale: 1"=60'  
 Date: 01/17/2022  
 Project #: 210632

Sheet  
2 of 3



Line Table		
Line #	Direction	Length
L1	N03°39'31"W	279.12
L2	N79°20'43"E	841.68
L3	N79°20'37"E	31.26
L4	S05°38'23"W	49.67
L5	S06°37'45"W	69.97
L6	S07°45'15"W	78.72
L7	S09°26'11"W	68.65
L8	S09°16'20"W	124.04
L9	S09°46'02"W	115.32
L10	S09°33'18"W	98.53
L11	S09°20'02"W	64.99
L12	S07°39'54"W	63.30
L13	S79°45'46"W	81.55
L14	S79°44'13"W	16.60
L15	N13°57'58"W	30.00
L16	N49°39'40"W	271.14
L17	N36°27'18"E	72.16
L18	N53°27'36"W	50.00
L19	N53°57'23"W	134.02
L21	N36°27'17"E	27.98
L22	N43°51'50"E	19.25
L23	N43°51'50"E	60.00
L24	N43°51'50"E	60.00
L25	N43°51'50"E	60.32
L26	S54°13'04"E	42.94
L27	S54°13'04"E	60.00
L28	S54°13'04"E	7.93
L29	S81°02'55"E	58.63
L30	S81°02'55"E	28.47
L31	S09°45'53"W	50.01
L32	N81°02'55"W	28.08
L33	N81°02'55"W	58.30
L34	S20°45'10"W	66.15
L35	S20°45'10"W	35.31
L36	S76°32'36"W	7.89
L37	S76°32'36"W	71.68
L38	S76°32'36"W	36.46
L39	N53°32'42"W	22.82
L40	N53°32'42"W	47.38
L41	N48°59'07"W	40.05
L42	S36°27'18"W	14.52
L43	N56°59'27"E	21.43
L44	N32°43'54"E	46.45
L45	S49°51'39"E	130.59
L46	N51°23'00"E	67.07
L47	S46°08'10"E	120.11
L48	N38°03'58"E	60.31
L49	S46°08'10"E	126.20
L50	N59°53'40"E	33.58
L51	N38°14'05"E	27.86

Line Table		
Line #	Direction	Length
L52	S46°08'10"E	119.66
L53	N21°18'20"E	27.05
L54	N58°19'15"E	36.49
L55	S46°08'10"E	120.93
L56	N49°13'18"E	94.23
L57	S25°58'29"E	128.42
L58	N81°09'37"E	88.56
L59	S09°08'42"E	115.46
L60	N66°55'41"E	47.26
L61	N88°13'48"E	44.62
L62	S07°41'06"W	137.75
L63	S59°30'16"E	90.62
L64	S24°30'54"W	120.58
L65	S55°45'42"E	76.21
L66	S35°46'56"W	120.00
L67	S54°13'04"E	60.00
L68	S35°46'56"W	120.00
L69	S82°22'07"E	44.58
L70	S20°59'12"W	132.80
L71	S55°15'45"E	51.81
L72	S09°19'22"W	107.99
L73	S09°19'22"W	100.66
L74	N69°14'50"W	98.03
L75	S09°19'22"W	79.72
L76	S44°06'38"W	9.79
L77	N56°48'33"W	115.60
L78	S44°06'38"W	93.60
L79	N34°23'59"W	116.07
L80	S44°06'38"W	8.97
L81	S78°58'23"W	43.27
L82	S78°03'57"W	43.27
L83	N13°27'24"W	101.97
L84	S77°14'11"W	35.84
L85	S76°29'05"W	35.84
L86	N13°27'24"W	101.57
L87	S78°28'45"W	44.02
L88	S77°36'32"W	41.00
L89	N01°39'07"E	104.76
L90	S76°34'01"W	40.58
L91	S75°31'49"W	40.58
L92	N49°39'40"W	28.48
L93	N22°29'20"E	124.57
L94	N49°39'40"W	83.25
L95	N36°27'18"E	111.55
L96	N49°39'40"W	69.83
L97	N39°28'34"E	107.40
L98	N49°39'40"W	65.22
L99	S05°38'38"W	40.64
L100	S06°37'45"W	69.42
L101	S07°45'15"W	77.99

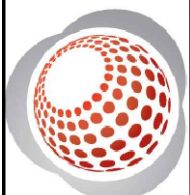
Line Table		
Line #	Direction	Length
L102	S09°26'01"W	67.24
L103	S09°16'30"W	124.96
L104	S09°46'02"W	10.13
L105	S09°46'10"W	55.11
L106	S09°33'18"W	98.64
L107	S09°20'02"W	22.64
L108	S44°06'38"W	137.70
L109	N39°47'12"E	50.01
L110	N43°51'50"E	51.77
L111	N43°51'50"E	68.57
L112	N43°51'50"E	61.48
L113	S54°13'04"E	10.71
L114	S54°13'04"E	76.21
L115	S54°13'04"E	23.95
L116	S20°45'10"W	90.79
L117	S20°45'10"W	10.67
L118	S76°32'36"W	6.10
L119	S76°32'36"W	81.06
L120	S76°32'36"W	28.87
L121	N53°32'42"W	28.71
L122	N53°32'42"W	20.17
L123	N53°32'42"W	21.32
L124	N48°59'07"W	41.13
L125	S46°08'10"E	105.00
L126	S43°51'50"W	65.00
L127	S46°08'10"E	105.00
L128	S43°51'50"W	68.57
L129	S25°12'53"E	108.67
L130	S43°51'50"W	48.90
L131	S29°42'18"W	102.34
L132	N86°03'20"W	21.61
L133	S35°46'56"W	101.76
L134	N54°13'04"W	39.19
L135	N54°13'04"W	26.19
L136	N54°13'04"W	85.80
L137	N27°03'18"W	125.69
L138	N43°51'50"E	26.22
L139	N13°27'24"W	89.12
L140	N43°51'50"E	61.20
L141	N43°51'50"E	110.00
L142	S46°08'10"E	22.50
L143	N49°39'40"W	24.37
L200	N36°27'17"E	27.98
L201	N43°51'50"E	199.57
L202	S54°13'04"E	110.86
L203	S81°02'55"E	87.09
L204	S48°59'07"E	87.55
L205	S53°32'42"E	70.20
L206	N76°32'36"E	116.03
L207	N20°45'10"E	142.29

Curve Table						
Curve #	Length	Radius	Delta	Direction	Chord	Tangent
C1	173.37	2682.43	003°42'11"	S77°53'08"W	173.34	86.71
C2	148.39	2222.97	003°49'29"	S77°16'54"W	148.36	74.22
C3	29.10	525.00	003°10'32"	N38°02'33"E	29.09	14.55
C4	38.79	525.00	004°14'01"	N41°44'50"E	38.78	19.41
C5	50.51	150.00	019°17'34"	N53°30'38"E	50.27	25.50
C6	52.11	150.00	019°54'19"	N73°06'34"E	51.85	26.32
C7	51.63	150.00	019°43'19"	S87°04'37"E	51.38	26.07
C8	50.51	150.00	019°17'41"	S67°34'07"E	50.28	25.50
C9	9.70	150.00	003°42'13"	S56°04'10"E	9.69	4.85
C10	66.91	175.00	021°54'30"	S65°10'19"E	66.51	33.87
C11	15.04	175.00	004°55'22"	S78°35'14"E	15.03	7.52
C12	4.78	225.00	001°13'03"	N80°26'23"W	4.78	2.39
C13	27.72	20.00	079°24'58"	S60°27'39"W	25.56	16.61
C14	27.14	125.00	012°26'17"	S26°58'19"W	27.08	13.62
C15	48.89	125.00	022°24'34"	S44°23'44"W	48.58	24.76
C16	45.69	125.00	020°56'34"	S66°04'18"W	45.44	23.10
C17	21.33	125.00	009°46'30"	S81°25'51"W	21.30	10.69
C18	57.10	125.00	026°10'14"	N80°35'47"W	56.60	29.05
C19	30.47	125.00	013°57'58"	N60°31'41"W	30.39	15.31
C20	16.64	325.00	002°55'58"	N52°04'43"W	16.63	8.32
C21	9.23	325.00	001°37'37"	N49°47'55"W	9.23	4.61
C22	33.01	20.00	094°33'35"	S83°44'06"W	29.39	21.66
C23	166.97	2712.43	003°31'37"	S77°47'51"W	166.95	83.51
C24	32.41	20.00	092°50'57"	N02°33'38"W	28.98	21.02
C25	26.53	100.00	015°12'03"	N51°27'52"E	26.45	13.34
C26	116.44	100.00	066°43'02"	S87°34'35"E	109.98	65.83
C27	17.46	225.00	004°26'45"	S56°26'26"E	17.45	8.73
C28	27.72	20.00	079°24'58"	S18°57'19"E	25.56	16.61
C29	73.03	75.00	055°47'26"	S48°38'53"W	70.18	39.70
C30	65.33	75.00	049°54'43"	N78°30'03"W	63.29	34.90
C31	21.89	275.00	004°33'35"	N51°15'54"W	21.88	10.95
C35	35.13	500.00	004°01'31"	N38°28'03"E	35.12	17.57
C36	29.53	500.00	003°23'02"	N42°10'20"E	29.53	14.77
C37	178.72	125.00	081°55'06"	N84°49'23"E	163.88	108.50
C38	52.46	200.00	015°01'46"	S61°43'57"E	52.31	26.38
C39	41.19	200.00	011°48'05"	S75°08'52"E	41.12	20.67
C40	23.87	300.00	004°33'35"	S51°15'54"E	23.87	11.94
C41	87.11	100.00	049°54'43"	S78°30'03"E	84.38	46.54
C42	97.37	100.00	055°47'26"	N48°38'53"E	93.57	52.94

Easement Line Table		
Line #	Direction	Length
E20	N81°02'55"W	20.00
E144	N09°19'22"E	67.84
E145	S48°59'07"E	8.71
E146	S78°19'46"W	45.35
E147	N43°51'50"E	8.95
E148	S02°33'38"E	41.32
E149	N48°59'07"W	8.95
E150	S54°13'04"E	9.62
E151	N73°57'39"W	78.11
E152	S63°36'25"W	78.11
E153	N43°51'50"E	9.62
E154	S20°45'10"W	8.72
E155	N18°55'53"W	39.22
E156	N53°32'42"W	7.06
E157	N43°51'50"E	134.48
E158	N52°00'38"E	49.40
E159	S86°03'20"E	7.19
E160	S65°03'07"E	59.62
E161	S54°13'04"E	82.48
E162	S20°45'10"W	15.53
E163	N54°13'04"W	85.09
E164	N65°03'07"W	41.76
E165	S43°51'50"W	18.29
E166	N49°39'40"W	6.10
E167	S44°06'38"W	8.61
E168	S75°31'49"W	32.46
E169	N49°40'33"W	18.36
E170	N75°31'49"E	43.17
E171	N76°34'01"E	40.85

Easement Line Table		
Line #	Direction	Length
E172	N77°36'32"E	41.25
E173	N78°28'45"E	44.14
E174	N76°28'12"E	35.42
E175	N77°14'11"E	36.05
E176	N78°03'57"E	43.50
E177	N78°58'23"E	38.68
E178	N44°06'38"E	7.31
E179	S34°23'59"E	15.31
E180	S44°06'38"W	16.28
E181	N06°12'39"E	133.24
E182	N08°57'05"E	56.61
E183	S81°02'55"E	17.72
E184	N56°48'33"W	15.28
E185	N44°06'38"E	7.99
E186	N09°19'22"E	160.13
E187	S81°02'55"E	2.08
E188	S25°19'17"W	19.69
E189	N64°34'09"W	12.13
E190	N64°34'09"W	44.43
E191	S59°10'13"W	35.71
E192	N20°45'10"E	10.05
E193	N25°19'17"E	12.16
E194	N53°13'57"E	12.00
E195	N09°26'01"E	84.63
E196	S80°33'59"E	20.00
E197	S09°25'34"W	25.80
E198	S09°16'39"W	66.68
E199	S53°13'57"W	12.24
E208	S09°19'22"W	59.65

Easement Curve Table						
Curve #	Radius	Length	Delta	Direction	Chord	Tangent
EC32	225.00	8.91	002°16'05"	S57°31'46"E	8.91	4.45
EC33	2227.97	152.09	003°54'40"	N77°14'05"E	152.06	76.07
EC34	2717.43	174.15	003°40'19"	N77°52'22"E	174.12	87.11



**Bateman Civil Survey Company**  
 Engineers Surveyors Planners  
 2524 Reliance Ave., Apex, NC 27539  
 Phone: 919.577.1080 Fax: 919.577.1081  
 NCBELS FIRM No. C-2378

OWNER  
 MERITAGE HOMES OF THE CAROLINAS, INC.  
 3300 PARAMOUNT PARKWAY #120, MORRISVILLE, NC, 27560

FINAL PLAT  
 BOWMAN VILLAGE SUBDIVISION PHASE N2  
 MEBANE, NC, ORANGE COUNTY, CHEEKS TOWNSHIP

Designed By: N/A  
 Drawn By: JCH  
 Checked By: JWB  
 Scale:  
 Date: 01/17/2022  
 Project #: 210632





---

## AGENDA ITEM #4F

Adopting Resolution seeking AIA grant for the assessment of the 5<sup>th</sup> Street Sewershed (CCTV) and CWSRF funding loan assistance for the WRRF sewer outfall to Holt Street (CCTV, CIPP and Manhole Rehab.) Both requests are related to identifying and addressing Inflow and Infiltration in the sewer collection system.

### Presenter

Franz Holt, PE City Engineer

---

### Public Hearing

Yes  No

---

### Summary

Staff recommends applying for available State Asset Inventory and Assessment (AIA) funding assistance (grant) related to the study of its existing sewer infrastructure in the 5<sup>th</sup> Street Sewershed. If received the funds would be used for Closed-Circuit Television (CCTV) work to further determine what lines/manholes should be repaired/replaced/rehabilitated in the future to address Inflow and Infiltration (I/I) in the sewer collection system. Staff also recommends applying for Clean Water State Revolving Funding (CWSRF) loan assistance for the repair/replacement of the WRRF sewer outfall (WRRF to Holt Street). This project would include additional CCTV inspection and line cleaning, possible point repair, Cured in Place Pipe (CIPP), and Manhole rehabilitation. Attached for Council consideration is a resolution that requires adoption and submission with the funding application due September 30<sup>th</sup>, 2022.

---

### Background

Previous I/I study for the 5<sup>th</sup> Street Sewershed identified the need for CCTV inspection of the sewer lines to further identify a targeted project for line repair and or replacement (CIPP). Eligible grant funds would allow for the asset inventory and assessment of approximately 30,000 feet of sewer lines. The current resolution allows for asset inventory and assessment of other study areas.

Previous flow monitoring and age of the WRRF outfall makes it eligible for funding assistance (loan) to address I/I in the sewer collection system. The project includes CCTV/repair/replacement/rehabilitation of approximately 4,400 feet of 15-inch sewer lines and 22 sewer manholes.

---

### Financial Impact

Seeking AIA grant funding with no local match. The City is eligible for \$100,000 for asset inventory and assessment of the sewer collection system.

Seeking CWSRF 20-year low interest loan for the WRRF outfall repair/replacement/rehabilitation project estimated at \$1,000,000.

---

**Recommendation**

Staff recommends adoption of the resolution provided stating that the City intends to study its existing sewer infrastructure completing an asset inventory and assessment in preparation for a possible future I/I project in the 5<sup>th</sup> Street Sewershed or other study area and complete a Sewer Rehabilitation Project of the WRRF sewer outfall. In addition, the City intends to request a State loan and/or grant assistance for these projects and authorizes Chris Rollins, City Manager, to make application on behalf of the City of Mebane.

---

**Suggested Motion**

Move to approve the adoption of the resolution stating that the City intends to study its existing sewer infrastructure completing an asset inventory and assessment in preparation for a possible future I/I reduction project in the 5<sup>th</sup> Street Sewershed or other study area and to complete a Sewer Rehabilitation Project of the WRRF sewer outfall. In addition, the City intends to request a State loan and/or grant assistance for these projects and authorizes Chris Rollins, City Manager, to make application on behalf of the City of Mebane.

---

**Attachments**

1. Resolution
2. I and I Image

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, The City of Mebane has need for and intends to construct, plan for, or conduct a study in a project described as Asset Inventory and Assessment of the Sewer collection system described as condition assessment, field location, and as-built review of infrastructure within the City of Mebane to prepare an asset inventory, and a Sewer Rehabilitation Project of the Water Resource Recovery Facility gravity sewer outfall and manholes with no increase in capacity, and

WHEREAS, The City of Mebane intends to request State loan and/or grant assistance for the projects,

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MEBANE:**

That City of Mebane, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Mebane to make a scheduled repayment of the loan, to withhold from the City of Mebane any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Chris Rollins, City Manager the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the September 12th, 2022, at City of Mebane City Hall, Mebane, North Carolina.

\_\_\_\_\_  
(Signature of Chief Executive Officer)

\_\_\_\_\_  
(Title)

**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting City Clerk of the City of Mebane does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City of Mebane duly held on the 12<sup>th</sup> day of September, 2022; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

---

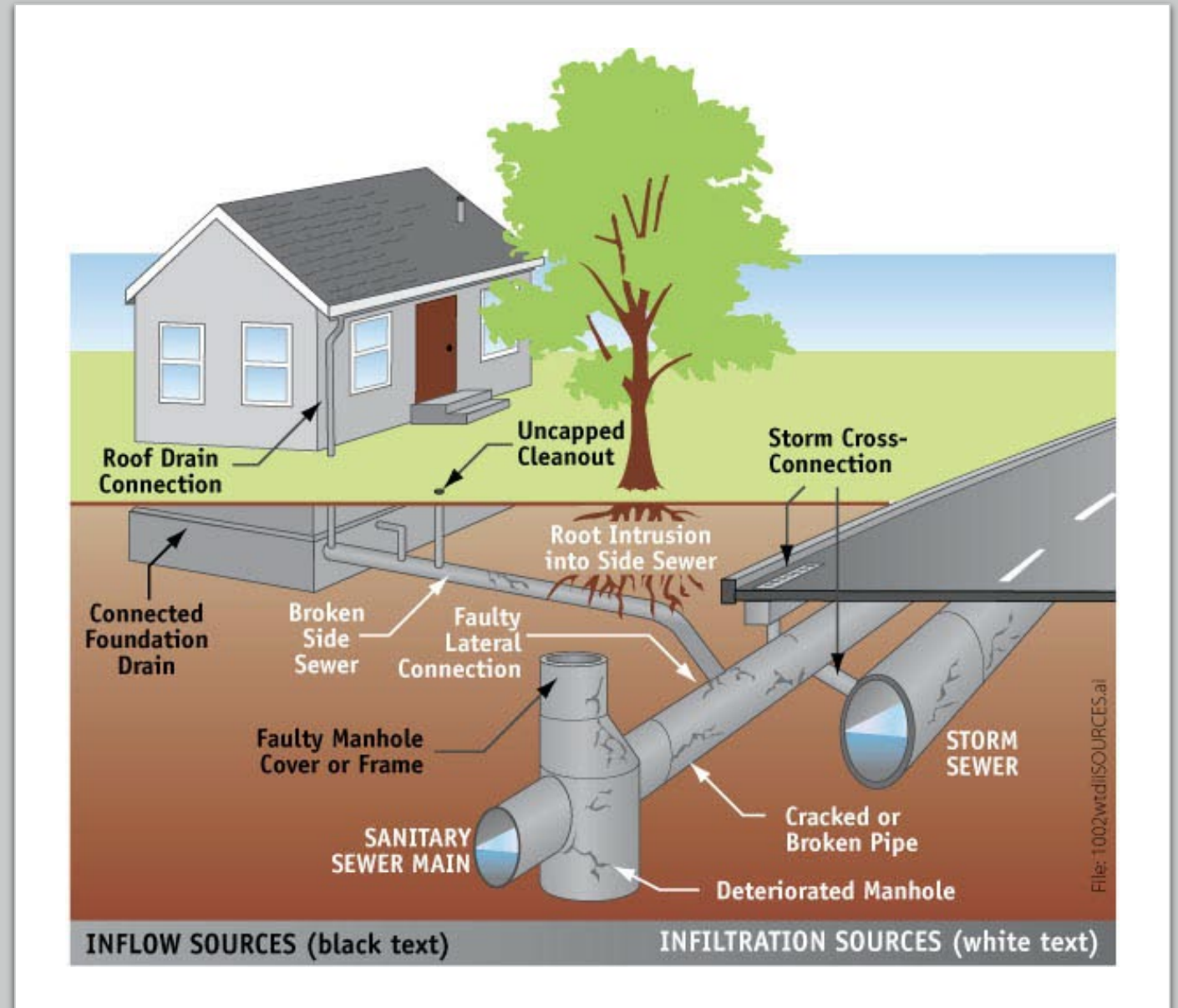
(Signature of Recording Officer)

---

(Title of Recording Officer)

# I/I: Where Does it Come From?

- I/I can vary greatly depending on the season, rainfall, and the water table.
- Sources of Inflow include:
  - Roof Drains.
  - Cross Connections with Storm Drains.
  - Leaks in Manholes – including holes, broken rims, etc.
  - Missing Cleanout Caps.
  - Are usually detectable by Smoke Testing.
- Sources of Infiltration include:
  - Cracks in sewer pipes.
  - Broken Joints within pipes.
  - Roots.
  - Faulty Service Connections (Laterals on Private Property).



CITY OF MEBANE

INFILTRATION &  
INFLOW



---

## AGENDA ITEM #5A

Ordinance to Extend the Corporate Limits-  
Voluntary Non-contiguous Annexation-  
Summit Church

---

### Meeting Date

September 12, 2022

---

### Presenter

Lawson Brown, City Attorney

---

### Public Hearing

Yes  No

---

### Summary

The Council will consider the approval of an Ordinance to Extend the Corporate Limits as the next step in the annexation process. This is a non-contiguous annexation containing approximately +/- 20.036 acres located on the corner of Mebane Oaks Road and Old Hillsborough Road in Alamance County.

---

### Background

At the August 1, 2022, Council Meeting, Council accepted the petition for annexation and the Clerk's certificate of sufficiency and adopted a Resolution setting a date of Public Hearing for September 12, 2022, to consider approval of extending Mebane's corporate limits. The Public Hearing Notice was properly advertised.

---

### Financial Impact

The property and improvements will be added to the ad valorem tax base for the City once the property is annexed as determined by the state statute but may not be subject to taxation, depending upon its tax-exempt status.

---

### Recommendation

Staff recommends the adoption of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina.

---

### Suggested Motion

I make a motion to adopt of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the +/- 20.036 acres.

---

### Attachments

1. Ordinance
2. Map

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE CITY OF MEBANE, NORTH CAROLINA

*Mail after recording to: City of Mebane, Attn: City Clerk, 106 E. Washington Street, Mebane, NC 27302*

Ordinance No. 154

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Glendel Stephenson Municipal Building at 6:00 p.m. on September 12, 2022 at 6:00 p.m. after due notice by the Mebane Enterprise on August 31, 2022; and

WHEREAS, the City Council finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the City;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the City;
- c. The area described is so situated that the City will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described:

BEGINNING at a right of way monument and being located in the northern boundary line of Old Hillsborough Road (S.R. 2126; being a variable width public right of way and recorded in the Alamance County Register of Deeds, DB.3987, PG.404), said monument marking the southeastern corner of the property described hereinafter; thence along the northern boundary line of Old Hillsborough Road the following five (5) courses and distances: (1) South 59° 40' 47" West 113.66 feet to an existing right of way monument; (2) a curve to the right having a radius of 4,455.00 feet, an arc length of 184.48 feet,

and a chord bearing and distance of South 60°51' 58" West 184.47 feet to an existing right of way monument; (3) South 54°05' 17" West 100.29 feet to an existing right of way monument; (4) a curve to the right having a radius of 4,470.00 feet, an arc length of 146.42 feet, and a chord bearing and distance of South 64°15' 50" West 146.41 feet to a computed point; and (5) a curve to the right having a radius of 12,652.08 feet, an arc length of 129.58 feet, and a chord bearing and distance of South 65°29' 45" West 129.58 feet to an existing 1/2" rebar at the southeast corner of the Longmeadow Subdivision Phase One (PB.56 PG. 136); thence leaving the northern boundary line of Old Hillsborough Road and following the eastern line of the Longmeadow Subdivision Phase One the following nine (9) courses and distances: (1) North 27°38' 10" West 207.86 feet to an existing 1/2" rebar; (2) North 3°02' 59" East feet to a computed point; (3) North 32°52' 30" West 64.72 feet to a computed point; (4) North 51°28' 34" West 73.15 feet to an existing rebar; (5) North 46°36' 16" West 161.77 feet to a computed point; (6) North 52°44' 55" West 205.15 feet to a computed point; (7) North 33°59' 19" West 56.48 feet to a computed point; (8) North 39°34' 56" West 99.97 feet to a computed point; and (9) North 52°56' 22" West 197.18 feet to a rebar in a concrete monument marking the northeastern corner of the Longmeadow Subdivision Phase One and also being in the southern property line of the property owned, now or formerly, by Mebane Housing LLC (GPIN: 9814-92-1385, DB.2108 PG.524, PB.58 PG.82); thence running with the southern property line of Mebane Housing LLC, North 76°12' 26" East 54.21 feet to a computed point at the southwest property corner of the property owned, now or formerly, by Evolve Mebane Oaks, LLC (GPIN: 9824-02-0553, DB.4265 PG.860, PB.70 PG.349); thence running with the southern property line of Evolve Mebane Oaks, LLC, North 76°19' 19" East 568.23 feet to an existing 1" pipe at the southwest property corner of the property owned, now or formerly, by Agape Baptist Church (GPIN: 9824-02-4349, DB.433 PG.844, PB.82 PG.26); thence running with the southern property line of Agape Baptist Church, North 88°14' 13" East 486.71 feet to an existing pipe with cap at the northwest corner of the property owned, now or formerly, by City of Mebane (GPIN: 9824-02-7111, DB.2951 PG.334, PB.76 PG.89, PB.74 PG.106); thence running with the property owned by City of Mebane the following two (2) courses and distances: (1) South 5°28' 26" East 247.05 feet to an existing 1" pipe; (2) North 88°14' 21" East 273.07 feet to a computed point in the western boundary line of Mebane Oaks Road (S.R. 1007; being a variable width public right of way and recorded in the Alamance County Register of Deeds, DB.3987, PG.404); thence along the western boundary line of Mebane Oaks Road the following five (5) courses and distances: (1) a curve to the right having a radius of 1,210.00 feet, an arc length of 139.81 feet, and a chord bearing and distance of South 1°47' 36" East 139.73 feet to a computed point; (2) South 1° 31' 01" West 12.69 feet to an existing right of way monument; (3) South 12° 56' 44" West 125.48 feet to an existing right of way monument; (4) South 4° 04' 01" West 225.00 feet to an existing right of way monument; and (5) South 33° 17' 18" West 81.55 feet to the Point of BEGINNING, and containing 20.036 acres more or less; as depicted on a map drawn by Eric S. Smith, PLS NC #L-5259 and labeled "Annexation Plat for the Summit Church Homestead Heights Baptist Church Inc." dated June 2022.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mebane, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the City of Mebane, as of September 12, 2022:

Section 2. Upon and after September 12, 2022 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Mebane and shall be entitled to the same privileges and benefits as other parts of the City of Mebane. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.



Section 3. The Mayor of the City of Mebane shall cause to be recorded in the office of the Register of Deeds of Alamance County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Alamance County Board of Elections, as required by G.S. 163-288.1.

Adopted this 12<sup>th</sup> day of September, 2022.

CITY OF MEBANE

---

Ed Hooks, Mayor

ATTEST:

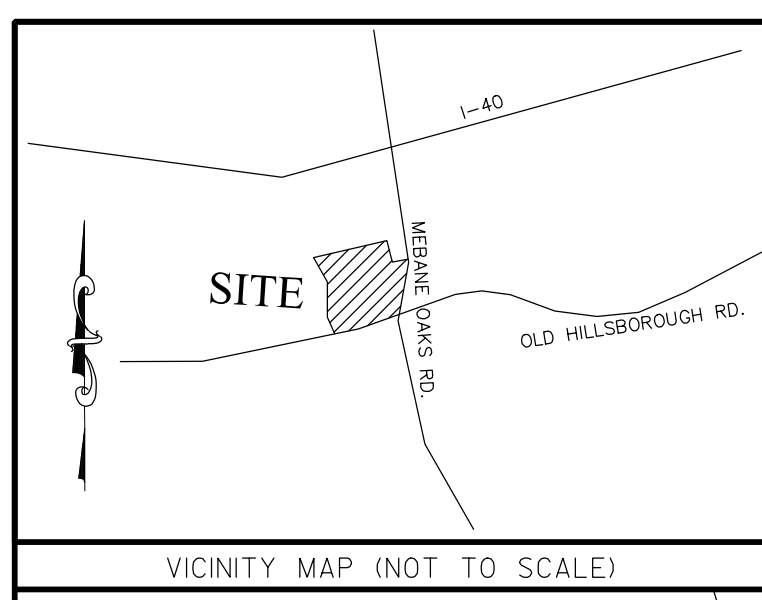
APPROVED AS TO FORM:

---

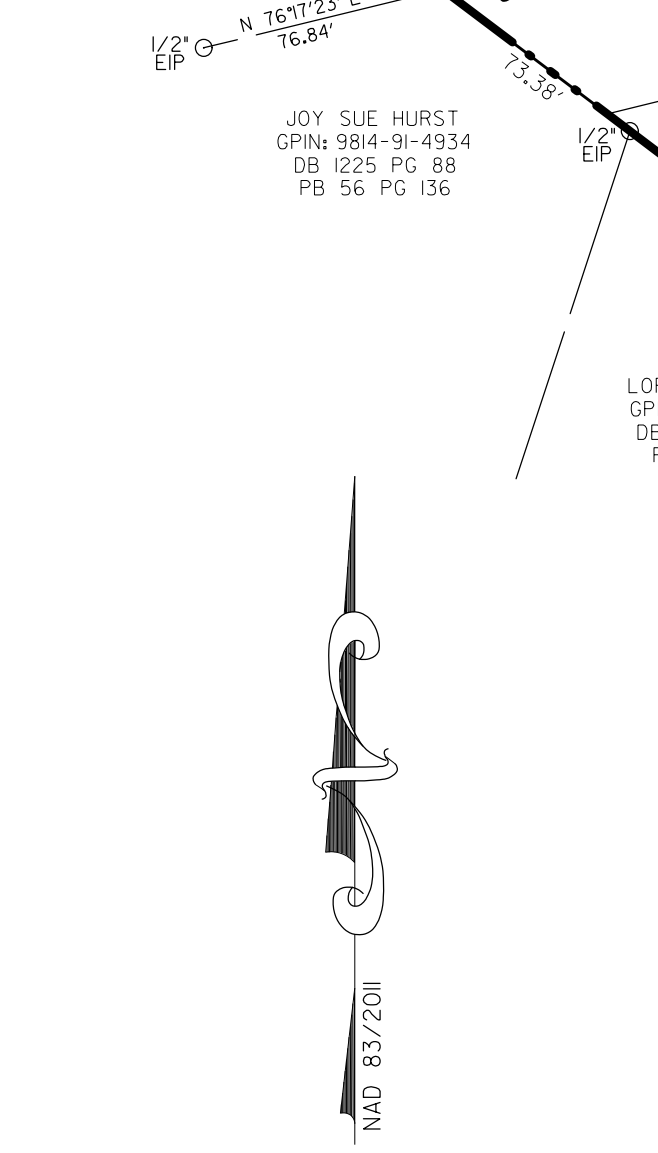
Stephanie W. Shaw, City Clerk

---

Lawson Brown, City Attorney



VICINITY MAP (NOT TO SCALE)



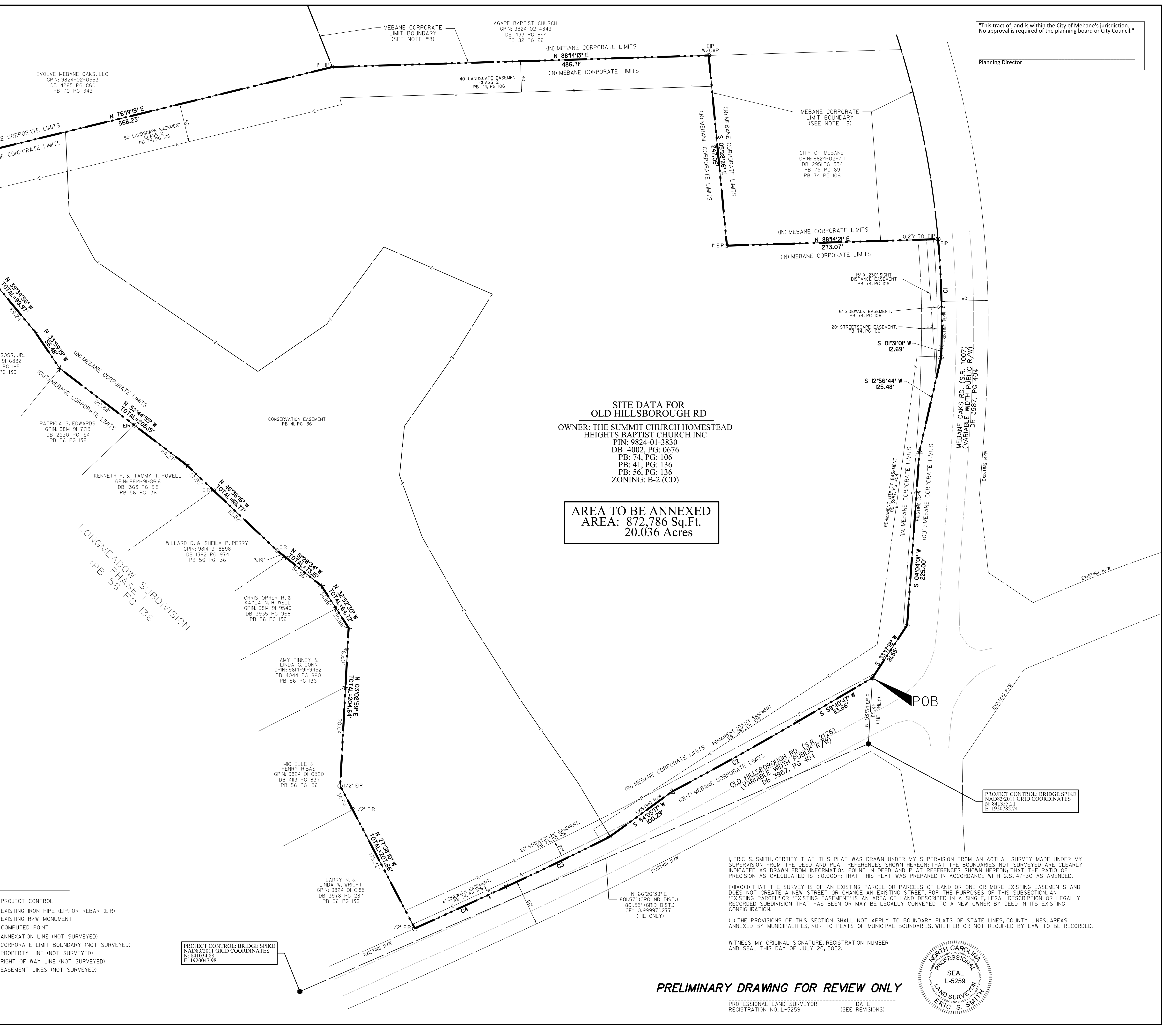
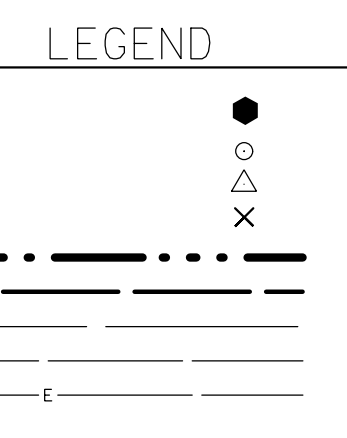
GRAPHIC SCALE  
1 inch = 60 ft.

- PERTINENT DOCUMENTS:
- DB 3987, PG 404 - RIGHT OF WAY
  - NCDOT PROJECT REFERENCE NO. 47786 (PLAN SHEET FOR INTERSECTION IMPROVEMENTS)

- SURVEYOR'S NOTES:
- THE BASIS OF BEARINGS FOR THIS SURVEY IS NAD 83 (2011) SPCS, USING A TRIMBLE RB GNSS GPS UNIT AND THE REAL TIME NETWORK (RTN).
  - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN FEET.
  - ALL AREAS SHOWN WERE COMPUTED BY COORDINATE GEOMETRY UNLESS OTHERWISE SHOWN.
  - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO ANY MATTERS THAT A FULL TITLE SEARCH WOULD DISCLOSE.
  - R/W LINES AND BOUNDARY LINES SHOWN AS BROKEN DO NOT DEPICT AN ACTUAL BOUNDARY SURVEY.
  - NO PORTION OF THE SUBJECT PROPERTY IS IN A SPECIAL FLOOD HAZARD AREA PER FEMA MAP NUMBER 270982400L, EFFECTIVE DATE NOVEMBER 11TH, 2016.
  - ZONING FOR THE SUBJECT PROPERTY RESIDES IN THE B-2 (CD) AND WAS BY THE MEBANE PLANNING DEPARTMENT.
  - MEBANE CORPORATE LIMIT BOUNDARY WAS PROVIDED BY THE MEBANE PLANNING DEPARTMENT.
  - THIS SURVEY MAP IS INTENDED TO REPRESENT AN ANNEXATION PLAT FOR GPN#9824-01-3830, AND IS NOT A BOUNDARY SURVEY.
  - NO RECOVERABLE N.C.G.S. MONUMENT WAS FOUND WITHIN 2,000 FEET OF THE SUBJECT PROPERTY.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	1200.00'	139.81'	S 0° 47' 36" E	139.73'
C2	4455.00'	184.48'	S 60° 51' 58" W	184.47'
C3	4470.00'	146.42'	S 64° 15' 50" W	146.41'
C4	12652.08'	129.38'	S 65° 29' 45" W	129.38'



SITE DATA FOR  
OLD HILLSBOROUGH RD  
OWNER: THE SUMMIT CHURCH HOMESTEAD  
HEIGHTS BAPTIST CHURCH INC  
PIN: 9824-01-3830  
DB: 4002, PG: 0676  
PB: 74, PG: 106  
PB: 41, PG: 136  
PB: 56, PG: 136  
ZONING: B-2 (CD)

AREA TO BE ANNEXED  
AREA: 872,786 Sq.Ft.  
20.036 Acres

"This tract of land is within the City of Mebane's jurisdiction. No approval is required of the planning board or City Council."  
Planning Director \_\_\_\_\_

I, ERIC S. SMITH, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM THE DEED AND PLAT REFERENCES SHOWN HEREON THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED AND PLAT REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1/100,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

FOUNDED THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

(J) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF STATE LINES, COUNTY LINES, AREAS ANNEXED BY MUNICIPALITIES, NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS DAY OF JULY 20, 2022.

PRELIMINARY DRAWING FOR REVIEW ONLY

PROFESSIONAL LAND SURVEYOR DATE  
REGISTRATION NO. L-5259 (SEE REVISIONS)



**NV5**  
NV5 ENGINEERS & CONSULTANTS, INC.  
6750 TRYON ROAD  
CARY, NC 27518  
P: 919.851.1912  
www.nv5.com  
NC License # E11833  
formerly CALYX Engineers & Consultants

FINAL PLAT  
CITY OF MEBANE CORPORATE LIMITS EXTENSION  
AND  
VOLUNTARY NON-CONTIGUOUS ANNEXATION  
ALAMANCE COUNTY, MELVILLE TWP., NORTH CAROLINA

NO.	DATE	REVISIONS	REMARKS
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

PROJECT NO: 2019099.01  
DRAWN BY: ESS  
CHECKED BY: ESS  
SCALE: SEE PLAN  
DATE: JUNE 7TH, 2022

SHEET 1 OF 1

---

## AGENDA ITEM #5B

Ordinance to Extend the Corporate Limits-  
Voluntary Non-contiguous Annexation-  
Sandra Clark- West Ten Road

---

### Meeting Date

September 12, 2022

---

### Presenter

Lawson Brown, City Attorney

---

### Public Hearing

Yes  No

---

### Summary

The Council will consider the approval of an Ordinance to Extend the Corporate Limits as the next step in the annexation process. This is a non-contiguous annexation containing approximately +/- 73.978 acres located on West Ten Road in Orange County.

---

### Background

At the August 1, 2022, Council Meeting, Council accepted the petition for annexation and the Clerk's certificate of sufficiency and adopted a Resolution setting a date of Public Hearing for September 12, 2022, to consider approval of extending Mebane's corporate limits. The Public Hearing Notice was properly advertised.

---

### Financial Impact

The property and improvements will be added to the ad valorem tax base for the City once the property is annexed as determined by the state statute.

---

### Recommendation

Staff recommends the adoption of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina.

---

### Suggested Motion

I make a motion to adopt of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the +/- 73.978 acres.

---

### Attachments

1. Ordinance
2. Map

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE CITY OF MEBANE, NORTH CAROLINA

*Mail after recording to: City of Mebane, Attn: City Clerk, 106 E. Washington Street, Mebane, NC 27302*

Ordinance No. 155

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Glendel Stephenson Municipal Building at 6:00 p.m. on September 12, 2022 at 6:00 p.m. after due notice by the Mebane Enterprise on August 31, 2022; and

WHEREAS, the City Council finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the City;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the City;
- c. The area described is so situated that the City will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described:

BEGINNING AT A 4" CONCRETE MONUMENT WITH A 2" BRASS PLATE LOCATED ON THE SOUTHERN VARIABLE WIDTH PUBLIC RIGHT OF WAY FOR INTERSTATE 85 / INTERSTATE 40 (NCDOT PROJECT NUMBER 8.1457602) HAVING NORTH CAROLINA GRID COORDINATES (NAD83/2011) OF NORTH 846,280.548' EAST 1,943,004.240' AND BEING THE COMMON CORNER WITH ORANGE COUNTY (DEED BOOK DB 6169, PAGE 541; TRACT ONE – PLAT BOOK 116, PAGE 22); THENCE ALONG THE SOUTHERN RIGHT OF WAY OF I-85/I-40 THE FOLLOWING FOUR (4) CALLS:

- 1) S79°20'24"E 24.35 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT,
- 2) S55°46'59"E 474.82 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT,
- 3) S80°35'28"E 400.13 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT,
- 4) N81°17'07"E 642.29 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT, THE COMMON CORNER WITH CHARLESANNA MEADOW SUBDIVISION (PLAT BOOK 56, PAGE 118 & PLAT BOOK 110, PG. 28);

THENCE WITH THE CHARLESANNA COMMON LINE THE FOLLOWING FIVE (5) CALLS:

- 1) S00°53'05"W 146.43 FEET TO A RAILROAD RAIL FOUND,
- 2) S88°16'34"E 619.43 FEET TO AN IRON FARM BLADE FOUND,
- 3) S50°56'04"E 1039.74 FEET TO A CONCRETE MONUMENT FOUND,
- 4) N55°01'58"E 99.63 FEET TO A 1" IRON ROD FOUND,
- 5) S01°39'06"W 56.45 FEET TO A 1" IRON PIPE FOUND ON THE NORTHERN 60 FOOT PUBLIC RIGHT OF WAY WEST TEN ROAD (SR 1144);

THENCE ALONG SAID NORTHERN RIGHT OF WAY THE FOLLOWING THIRTY-THREE (33) CALLS

- 1) S72°53'22"W 45.32 FEET TO A COMPUTED POINT,
- 2) S71°02'56"W 50.47 FEET TO A COMPUTED POINT,
- 3) S70°40'01"W 50.13 FEET TO A COMPUTED POINT,
- 4) S70°30'18"W 571.61 FEET TO A COMPUTED POINT,
- 5) S71°03'01"W 49.78 FEET TO A COMPUTED POINT,
- 6) S71°44'57"W 49.60 FEET TO A COMPUTED POINT,
- 7) S73°00'13"W 49.29 FEET TO A COMPUTED POINT,
- 8) S74°19'38"W 49.47 FEET TO A COMPUTED POINT,
- 9) S75°19'42"W 49.57 FEET TO A COMPUTED POINT,
- 10) S75°44'47"W 49.89 FEET TO A COMPUTED POINT,
- 11) S75°37'40"W 50.05 FEET TO A COMPUTED POINT,
- 12) S76°00'26"W 723.15 FEET TO A COMPUTED POINT,
- 13) S75°27'18"W 50.24 FEET TO A COMPUTED POINT,
- 14) S75°16'11"W 50.22 FEET TO A COMPUTED POINT,
- 15) S74°25'36"W 50.61 FEET TO A COMPUTED POINT,
- 16) S73°02'55"W 50.75 FEET TO A COMPUTED POINT,
- 17) S70°50'47"W 50.75 FEET TO A COMPUTED POINT,
- 18) S70°07'42"W 50.42 FEET TO A COMPUTED POINT,
- 19) S69°39'04"W 50.24 FEET TO A COMPUTED POINT,
- 20) S69°10'32"W 49.98 FEET TO A COMPUTED POINT,
- 21) S68°58'07"W 50.09 FEET TO A COMPUTED POINT,
- 22) S68°38'11"W 354.56 FEET TO A COMPUTED POINT,
- 23) S70°05'23"W 49.10 FEET TO A COMPUTED POINT,
- 24) S72°07'43"W 48.85 FEET TO A COMPUTED POINT,
- 25) S74°49'20"W 48.80 FEET TO A COMPUTED POINT,
- 26) S76°49'17"W 48.51 FEET TO A COMPUTED POINT,
- 27) S79°24'57"W 48.81 FEET TO A COMPUTED POINT,
- 28) S81°18'54"W 48.92 FEET TO A COMPUTED POINT,
- 29) S83°31'33"W 49.09 FEET TO A COMPUTED POINT,
- 30) S85°09'04"W 49.23 FEET TO A COMPUTED POINT,
- 31) S86°30'37"W 49.18 FEET TO A COMPUTED POINT,
- 32) S88°34'14"W 49.16 FEET TO A COMPUTED POINT,
- 33) S89°31'27"W 18.11 FEET TO A COMPUTED POINT THE COMMON CORNER WITH ORANGE COUNTY (DEED BOOK DB 6169, PAGE 541; TRACT ONE – PLAT BOOK 116, PAGE 22);

THENCE ALONG THE COMMON LINE WITH ORANGE COUNTY N00°36'24"E 9.39 FEET TO A 3/4" IRON ROD FOUND AND N00°36'24"E 1914.52 FEET TO THE POINT OF BEGINNING CONTAINING 3,222,460 SQUARE FEET OR 73.978 ACRES MORE OR LESS, AS SHOWN ON THE PLAT ENTITLED "NON-CONTIGUOUS VOLUNTARY ANNEXATION PLAT (SATELLITE) FOR CITY OF MEBANE: SANDRA M CLARK TRUSTEE PIN 9844452283; BY STEWART, DATED MARCH 14, 2022 AND RECORDED AS PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ ORANGE COUNTY REGISTRY.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mebane, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the City of Mebane, as of September 12, 2022:

Section 2. Upon and after September 12, 2022 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Mebane and shall be entitled to the same privileges and benefits as other parts of the City of Mebane. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Mebane shall cause to be recorded in the office of the Register of Deeds of Orange County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections, as required by G.S. 163-288.1.

Adopted this 12<sup>th</sup> day of September, 2022.

CITY OF MEBANE

---

Ed Hooks, Mayor

ATTEST:

---

Stephanie W. Shaw, City Clerk

APPROVED AS TO FORM:

---

Lawson Brown, City Attorney



**LEGEND**

- ▲ CALCULATED POINT
- IPF IRON PIPE FOUND
- IRF IRON ROD FOUND
- CMF CONCRETE MON FOUND
- RWM R/W MON FOUND
- ⊗ UTILITY POLE
- X— WIRE FENCE
- OHW— OVERHEAD WIRES

**REFERENCES**

- PB 11, PG. 53
- PB 19, PG. 02
- PB 56, PG. 118
- PB 74, PG. 18
- PB 77, PG. 17
- PB 83, PG. 147
- PB 88, PG. 195
- PB 96, PG. 86
- PB 110, PG. 28
- PB 116, PG. 22

**PLANNING DIRECTOR CERTIFICATION**

THIS TRACT OF LAND IS WITHIN THE CITY OF MEBANE'S JURISDICTION. NO APPROVAL IS REQUIRED OF THE PLANNING BOARD OR CITY COUNCIL UNDER SECTION 50.2(c) OF THE CODE OF ORDINANCES.

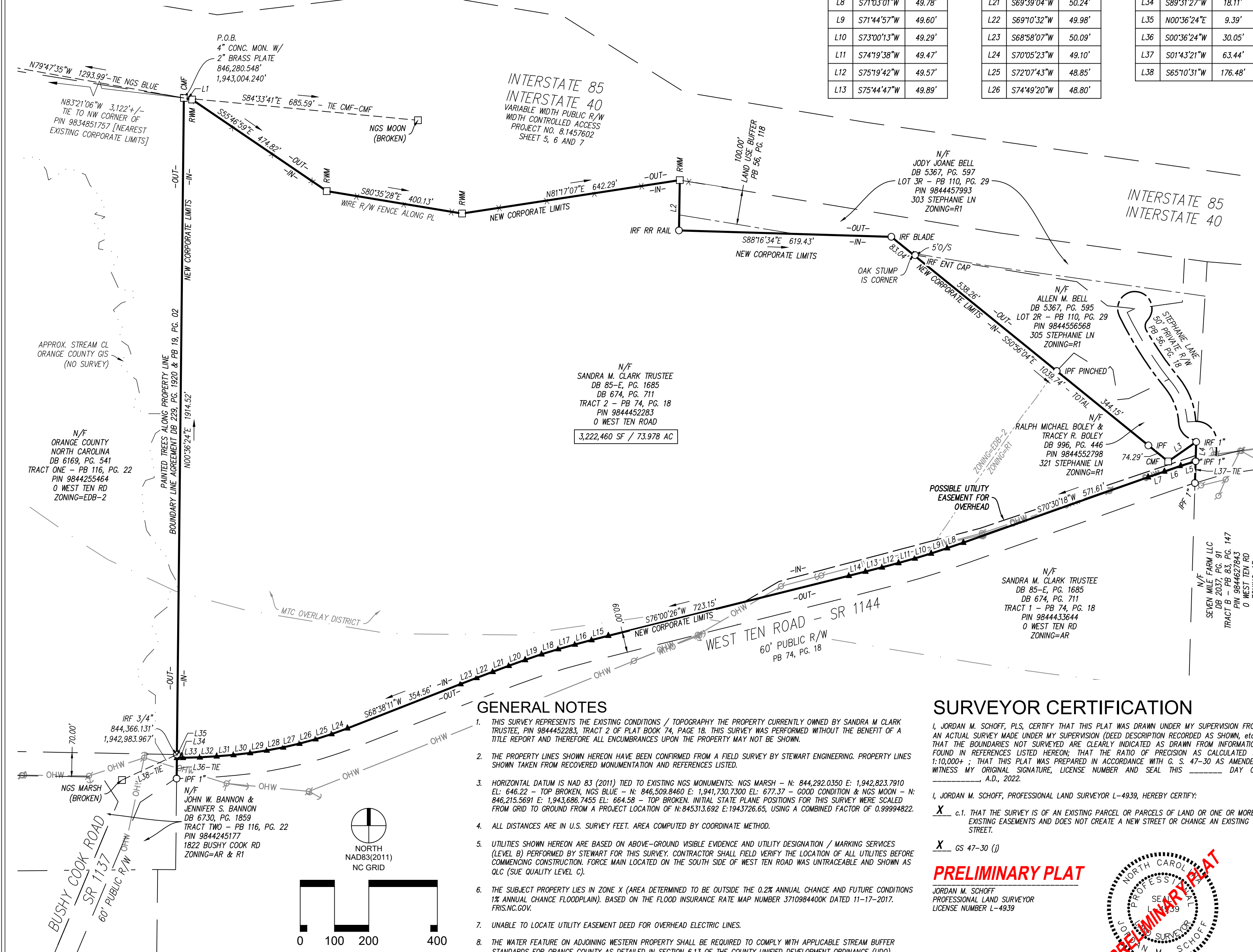
SIGNED: \_\_\_\_\_  
PLANNING DIRECTOR

DATE: \_\_\_\_\_

LINE	BEARING	DISTANCE
L1	S79°20'24"E	24.35'
L2	S00°53'05"W	146.43'
L3	N55°01'58"E	99.63'
L4	S01°39'06"W	56.45'
L5	S72°53'22"W	45.32'
L6	S71°02'56"W	50.47'
L7	S70°40'01"W	50.13'
L8	S71°03'01"W	49.78'
L9	S71°44'57"W	49.60'
L10	S73°00'13"W	49.29'
L11	S74°19'38"W	49.47'
L12	S75°19'42"W	49.57'
L13	S75°44'47"W	49.89'

LINE	BEARING	DISTANCE
L14	S75°37'40"W	50.05'
L15	S75°27'18"W	50.24'
L16	S75°16'11"W	50.22'
L17	S74°25'36"W	50.61'
L18	S73°02'55"W	50.75'
L19	S70°50'47"W	50.75'
L20	S70°07'42"W	50.42'
L21	S69°39'04"W	50.24'
L22	S69°10'32"W	49.98'
L23	S68°58'07"W	50.09'
L24	S70°05'23"W	49.10'
L25	S72°07'43"W	48.85'
L26	S74°49'20"W	48.80'

LINE	BEARING	DISTANCE
L27	S76°49'17"W	48.51'
L28	S79°24'57"W	48.81'
L29	S81°18'54"W	48.92'
L30	S83°31'33"W	49.09'
L31	S85°09'04"W	49.23'
L32	S86°30'37"W	49.18'
L33	S88°34'14"W	49.16'
L34	S89°31'27"W	18.11'
L35	N00°36'24"E	9.39'
L36	S00°36'24"W	30.05'
L37	S01°43'21"W	63.44'
L38	S65°10'31"W	176.48'



N/F  
SANDRA M. CLARK TRUSTEE  
DB 85-E, PG. 1685  
DB 674, PG. 711  
TRACT 2 - PB 74, PG. 18  
PIN 9844452283  
0 WEST TEN ROAD  
3,222,460 SF / 73.978 AC

**GENERAL NOTES**

- THIS SURVEY REPRESENTS THE EXISTING CONDITIONS / TOPOGRAPHY THE PROPERTY CURRENTLY OWNED BY SANDRA M CLARK TRUSTEE, PIN 9844452283, TRACT 2 OF PLAT BOOK 74, PAGE 18. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE ALL ENCUMBRANCES UPON THE PROPERTY MAY NOT BE SHOWN.
- THE PROPERTY LINES SHOWN HEREON HAVE BEEN CONFIRMED FROM A FIELD SURVEY BY STEWART ENGINEERING. PROPERTY LINES SHOWN TAKEN FROM RECOVERED MONUMENTATION AND REFERENCES LISTED.
- HORIZONTAL DATUM IS NAD 83 (2011) TIED TO EXISTING NGS MONUMENTS: NGS MARSH - N: 844,292.0350 E: 1,942,823.7910 EL: 646.22 - TOP BROKEN, NGS BLUE - N: 846,509.8460 E: 1,941,730.7300 EL: 677.37 - GOOD CONDITION & NGS MOON - N: 846,215.5691 E: 1,943,686.7455 EL: 664.58 - TOP BROKEN. INITIAL STATE PLANE POSITIONS FOR THIS SURVEY WERE SCALED FROM GRID TO GROUND FROM A PROJECT LOCATION OF N:845313.692 E:1943726.65, USING A COMBINED FACTOR OF 0.99994822.
- ALL DISTANCES ARE IN U.S. SURVEY FEET. AREA COMPUTED BY COORDINATE METHOD.
- UTILITIES SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE EVIDENCE AND UTILITY DESIGNATION / MARKING SERVICES (LEVEL B) PERFORMED BY STEWART FOR THIS SURVEY. CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL UTILITIES BEFORE COMMENCING CONSTRUCTION. FORCE MAIN LOCATED ON THE SOUTH SIDE OF WEST TEN ROAD WAS UNTRACEABLE AND SHOWN AS QLC (SUE QUALITY LEVEL C).
- THE SUBJECT PROPERTY LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN). BASED ON THE FLOOD INSURANCE RATE MAP NUMBER 3710984400K DATED 11-17-2017. FRIS.NC.GOV.
- UNABLE TO LOCATE UTILITY EASEMENT DEED FOR OVERHEAD ELECTRIC LINES.
- THE WATER FEATURE ON ADJOINING WESTERN PROPERTY SHALL BE REQUIRED TO COMPLY WITH APPLICABLE STREAM BUFFER STANDARDS FOR ORANGE COUNTY AS DETAILED IN SECTION 6.13 OF THE COUNTY UNIFIED DEVELOPMENT ORDINANCE (UDO), UNLESS ANNEXED BY THE CITY OF MEBANE. IF ANNEXED, CITY OF MEBANE STREAM BUFFER REQUIREMENTS SHALL BE OBSERVED.

**SURVEYOR CERTIFICATION**

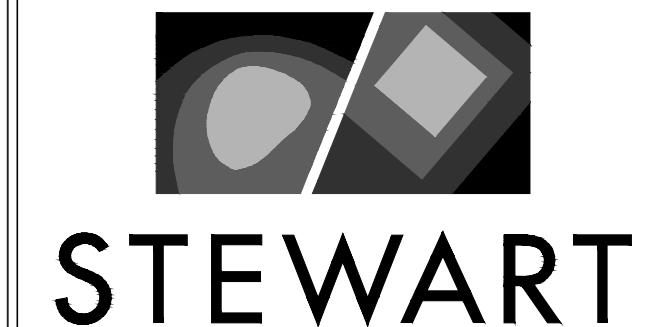
I, JORDAN M. SCHOFF, PLS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED AS SHOWN, etc); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES LISTED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G. S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2022.

I, JORDAN M. SCHOFF, PROFESSIONAL LAND SURVEYOR L-4939, HEREBY CERTIFY:

- c.1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
- GS 47-30 (j)

**PRELIMINARY PLAT**

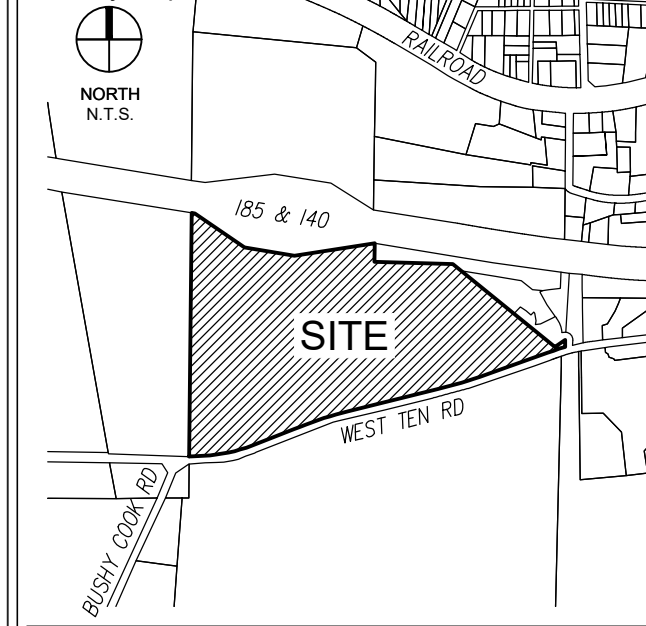
JORDAN M. SCHOFF  
PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER L-4939



**STEWART**  
5410 OLD POOLE RD  
RALEIGH, NC 27610  
T 919.380.8750

FIRM LICENSE #: C-1051  
www.stewartinc.com  
PROJECT #: G22007

**Vicinity Map:**



CURRENT OWNER:  
SANDRA M CLARK TRUSTEE  
3605 GLENWOOD AVE, STE 500  
RALEIGH, NC 27512

DEED BOOK 85-E, PAGE 1685  
DEED BOOK 674, PAGE 711  
PLAT BOOK 74, PAGE 18 - TRACT 2

PIN = 9844452283

SITE ADDRESS = 0 WEST TEN ROAD

GROSS SITE AREA = 73.978 ACRES

CURRENT ZONING (AS SHOWN) =  
EDB-2 - ECONOMIC DEVELOPMENT BUCKHORN HIGHER INTENSITY  
R1 - RURAL RESIDENTIAL

CURRENT OVERLAY (AS SHOWN) =  
MAJOR TRANSPORTATION CORRIDOR OVERLAY DISTRICT

WATERSHED ZONING OVERLAY DESIGNATION =  
UPPER ENO PROTECTED

RIVER BASIN = NEUSE

Title:  
**NON-CONTIGUOUS  
VOLUNTARY  
ANNEXATION PLAT  
(SATELLITE) FOR  
CITY OF MEBANE:  
SANDRA M CLARK  
TRUSTEE  
PIN 9844452283**

CHEEKS TOWNSHIP, MEBANE  
ORANGE COUNTY, NORTH CAROLINA  
DATE: 03-14-2022 SCALE: 1" = 200'  
PREPARED FOR: LANDMARK - PROJECT SKYWALKER

Revisions:	No.	Date	Description

Project number: G22007 Sheet:  
Date: 03-14-2022  
Drawn by: JMS  
Checked by: AMW



# AGENDA ITEM #5C

RZ 22-10

Conditional Rezoning –  
Williams Development Group

### Presenter

Ashley Ownbey, Interim Development Director

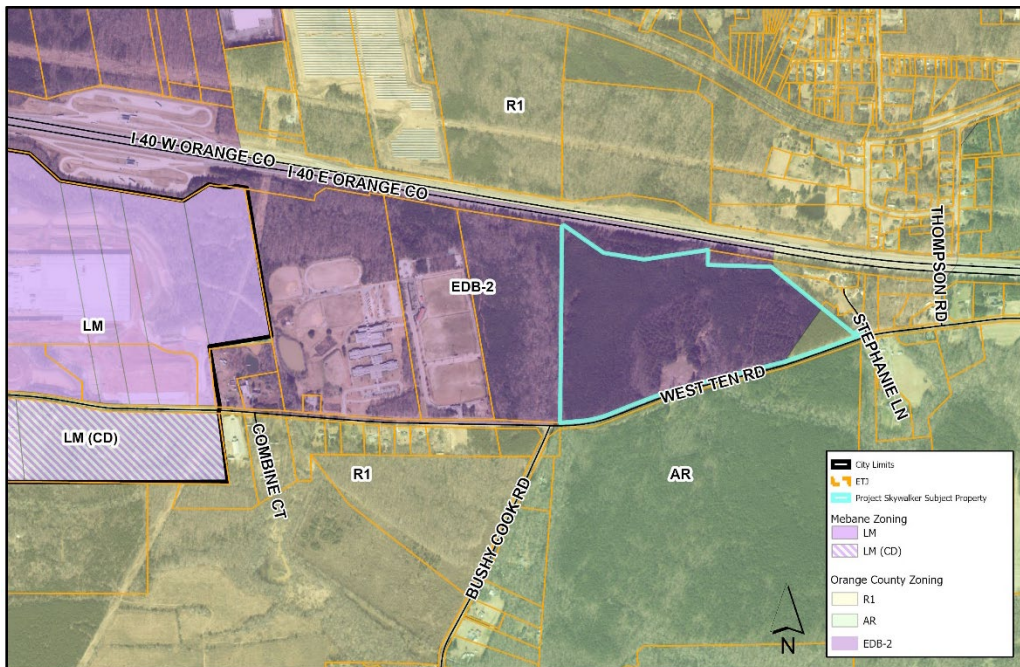
### Applicant

Williams Development Group  
331 High Street  
Winston-Salem, NC 27101

### Public Hearing

Yes  No

### Zoning Map



**CITY OF MEBANE**  
ZONING MAP

**Conditional Rezoning**  
**Williams Development Group**

1 inch = 1,000 feet

DATE: 09/06/22

DRAWN BY: AO

### Property

GPIN 9844452283

### Proposed Zoning

LM (CD)

### Current Zoning

EDB-2 and R1

(Orange County)

### Size

+/-73.978 acres

### Surrounding Zoning

EDB-2, R1, AR (Orange County);

LM (Mebane)

### Surrounding Land Uses

Vacant, Recreation, Residential, School, Industrial

### Utilities

To be extended at developer's expense

### Floodplain

No

### Watershed

Yes

### City Limits

No



---

### Summary

Williams Development Group is requesting to establish LM (CD) zoning on the +/- 73.978-acre parcel (GPIN 9844452283) located on West Ten Road outside of the Mebane Extraterritorial Jurisdiction (ETJ) in Orange County to allow for a light, industrial development including two warehouse buildings. Annexation will be required before the City Council can hold a public hearing to take zoning action. The applicant has the property under contract to purchase, contingent upon approval of the conditional rezoning.

In 1981, Orange County established three Economic Development Districts (EDDs), including the Buckhorn EDD which includes approximately 900 acres of land and is intended to "...create a district allowing a wide range of non-residential uses with limited higher density residential uses" (Orange County Unified Development Ordinance, p. 3-43). In 1994, Orange County, through a government-initiated land use and zoning change, amended most of the area's zoning to support economic development land uses. The subject property is located in the Buckhorn EDD and primarily zoned EDB-2, Economic Development Buckhorn Higher Intensity, which supports manufacturing, assembly, processing, and distribution uses. Adjacent properties to the west are also zoned EDB-2 and properties north of the site, across the interstate, are in Orange County's West Efland Commercial-Industrial Transition Activity Node. The Medline Distribution Center, which is zoned Light Manufacturing (LM) by Mebane, is less than one mile west of the subject property. The proposed project is consistent with the City and County's stated development goals for the area.

The site-specific plan features two warehouse buildings with a proposed subdivision of the property so that each building and associated parking is contained on its own lot. Proposed Building A is +/- 600,000 s.f. and proposed Building B is +/- 300,000 s.f. The applicant will provide a 5' sidewalk along West Ten Road and an internal sidewalk network to connect to the proposed structures from West Ten Road. The site plan features a 100' Type B buffer along the perimeter. The Mebane Unified Development Ordinance (UDO) requires a 20' Type C buffer between the two proposed lots. The applicant is requesting to relocate the buffer with additional plantings elsewhere on the property. No waivers are otherwise being requested for this project.

A Traffic Impact Analysis (TIA) was prepared for the project. The findings of the study warranted exclusive eastbound left and westbound right turn lanes with 100 feet of full storage and appropriate taper at each of the proposed site entrances on West Ten Road. These improvements must be constructed as a condition of the NCDOT's approval of driveway permits.

The Technical Review Committee (TRC) has reviewed the site plan three (3) times and the applicant has revised the plan to reflect the comments.

---

### Financial Impact

The developer will be required to make all of the onsite improvements at their own expense.

---

### Recommendation

At its August 8, 2022, meeting, the Mebane Planning Board voted unanimously (9 – 0) to recommend

approval of the rezoning request.

The Planning Staff recommends approval of the request. The project lies just outside the G-2 Primary Growth Area, which includes the Buckhorn Economic Development District. The use is consistent with existing Orange County Zoning EDB-2 (Economic Development Buckhorn Higher Intensity) in an area defined by Orange County as being specifically targeted for economic development activity consisting of light industrial, distribution, flex space, office, and service/retail uses being located adjacent to interstate and major arterial highways.

---

### Suggested Motion

1. Motion to **approve** the LM(CD) zoning as presented.
2. Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request:
  - Is for a property within the City's G-4 Secondary Growth Area (Mebane CLP, p.66);
  - Serves Mebane CLP Growth Management Goal 1.7 through the support [of] industrial development at existing industrial parks near I-40/85 (pp.17, 59 & 82)

**OR**

3. Motion to **deny** the LM(CD) rezoning as presented due to a lack of
    - a. Harmony with the surrounding zoning or land use
- OR**
- b. Consistency with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*.

---

### Attachments

1. Zoning Amendment Application
2. Zoning Map
3. Site Plan
4. Planning Project Report
5. Preliminary Water and Sewer System Approval Letter
6. Technical Memorandum – City Engineering Review
7. Traffic Impact Analysis (TIA)
  - a. Traffic Impact Analysis (TIA) by Ramey Kemp Associates – [access and download here](#)
  - b. TIA Review Letter by VHB for City of Mebane
  - c. TIA Review Letter by NCDOT



## APPLICATION FOR A ZONING AMENDMENT

Application is hereby made for an amendment to the Mebane Zoning Ordinance as follows:

Name of Applicant: Williams Development Group

Address of Applicant: 331 High Street Winston-Salem, NC 27101

Address and brief description of property to be rezoned: 0 West Ten Road (Tax parcel# 9844452283)  
73.978 acre vacant parcel

Applicant's interest in property: (Owned, leased or otherwise) Under contract  
to purchase

\*Do you have any conflicts of interest with: Elected/Appointed Officials, Staff, etc.?

Yes \_\_\_ Explain: \_\_\_\_\_ No x

Type of re-zoning requested: Conditional M-2

Sketch attached: Yes X No \_\_\_\_\_

Reason for the requested re-zoning: Parcel is to be annexed into the  
City limits

NOTE: This application was received prior to Council's action to change name of the light manufacturing district from M-2 to LM

DocuSigned by:  
Sign Sandra Martin Clark

Date: 4/5/2022

Action by Planning Board: \_\_\_\_\_

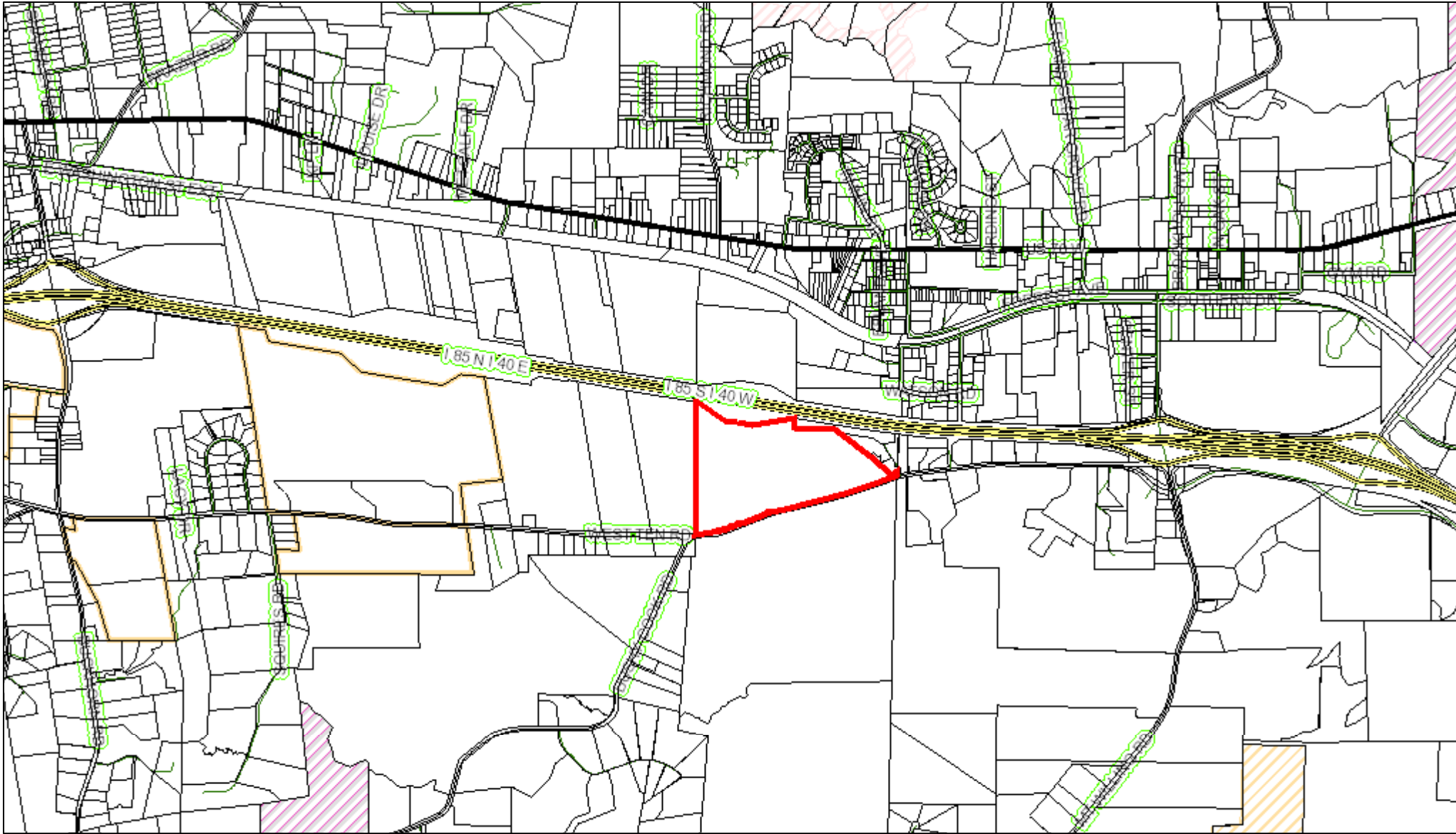
Public Hearing Date: \_\_\_\_\_ Action: \_\_\_\_\_

Zoning Map Corrected: \_\_\_\_\_

The following items should be included with the application for rezoning when it is returned:

1. Tax Map showing the area that is to be considered for rezoning.
2. Names and addresses of all adjoining property owners within a 300' radius (Include those that are across the street).
3. \$300.00 Fee to cover administrative costs.
4. The information is due 15 working days prior to the Planning Board meeting. The Planning Board meets the 2<sup>nd</sup> Monday of each month at 6:30 p.m. Then the request goes to the City Council for a Public Hearing the following month. The City Council meets the 1<sup>st</sup> Monday of each month at 6:00 p.m.

# Orange County



July 8, 2022

This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

The county and its mapping companies assume no legal responsibility for the information on this map.

**PIN: 9844452283**

OWNER 1: CLARK SANDRA M TRUSTEE

SIZE: 74.019 A

BUILDING COUNT:

1:24,000

OWNER 2:

DEED REF:

LAND VALUE: \$18,653

0 0.2 0.4 0.8 mi

ADDRESS 1: 3605 GLENWOOD AVE

RATECODE: 03

BLDG\_VALUE: \$0

0 0.325 0.65 1.3 km

ADDRESS 2: STE 500

TOWNSHIP: CHEEKS

USE\_VALUE: \$367,726

CITY: RALEIGH

BLDG SQFT:

TOTAL VALUE: \$18,653

STATE, ZIP: NC 27512

YEAR BUILT:

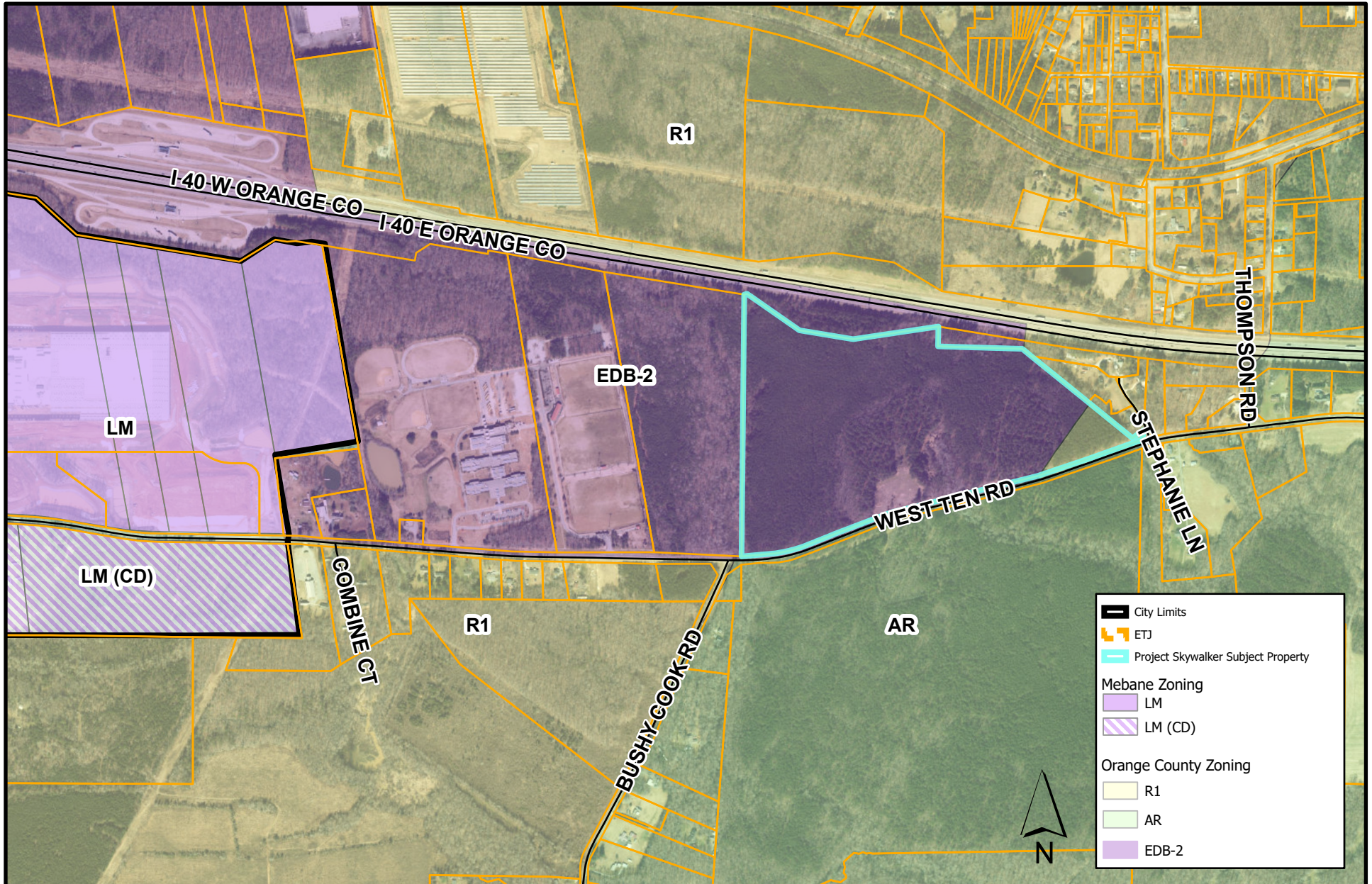
DATE SOLD: 11/10/2010

LEGAL DESC: 2 KATHERINE L KIRKPATRICK ESTATE P74/18

TAX STAMPS:







# CITY OF MEBANE ZONING MAP

## Conditional Rezoning Williams Development Group

1 inch = 1,000 feet

DATE: 09/06/22

DRAWN BY: AO



# PROJECT SKYWALKER

CONSULTANT:



APPLICANT:

WILLIAMS DEVELOPMENT GROUP  
 331 HIGH STREET  
 WINSTON-SALEM, NC 27101  
 PHONE # 336-784-2000

## SITE PLAN

APRIL 8, 2022  
 West Ten Road  
 Elfland, North Carolina  
 Cheeks Township - Orange County

REVISED

JULY 8, 2022  
 JULY 25, 2022

## VICINITY MAP



SCALE: 1" = 2000'  
 NORTH

INDEX OF DRAWINGS	
Sheet #	SHEET NAME
C0.00	COVER SHEET
C1.00	EXISTING CONDITIONS PLAN
C3.00	SITE PLAN
C5.00	GRADING & STORM DRAINAGE PLAN
C6.00	UTILITY PLAN









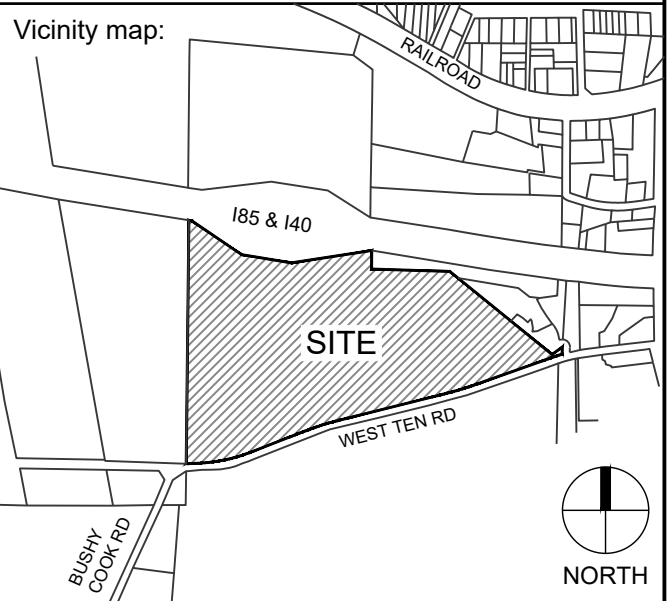


# STEWART

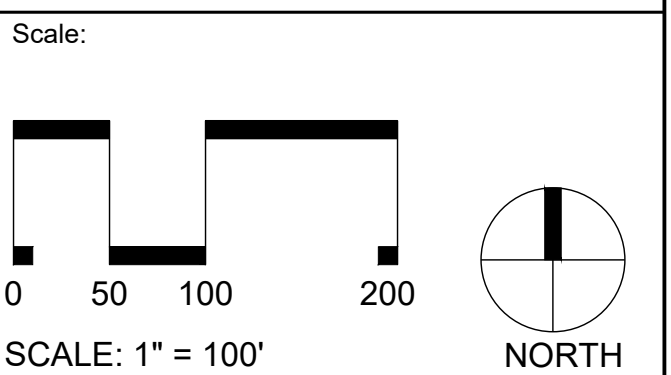
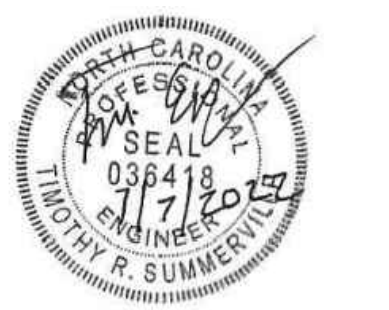
101 WEST MAIN ST.  
DURHAM, NC 27701  
T 919.380.8750

FIRM LICENSE # C-1051  
WWW.STEWARTINC.COM  
PROJECT # C22012

Client:  
WILLIAMS DEVELOPMENT GROUP  
331 HIGH STREET  
WINSTON-SALEM, NC 27101  
PHONE # 336-784-2000



Seal:  
**PRELIMINARY - DO NOT  
USE FOR CONSTRUCTION**



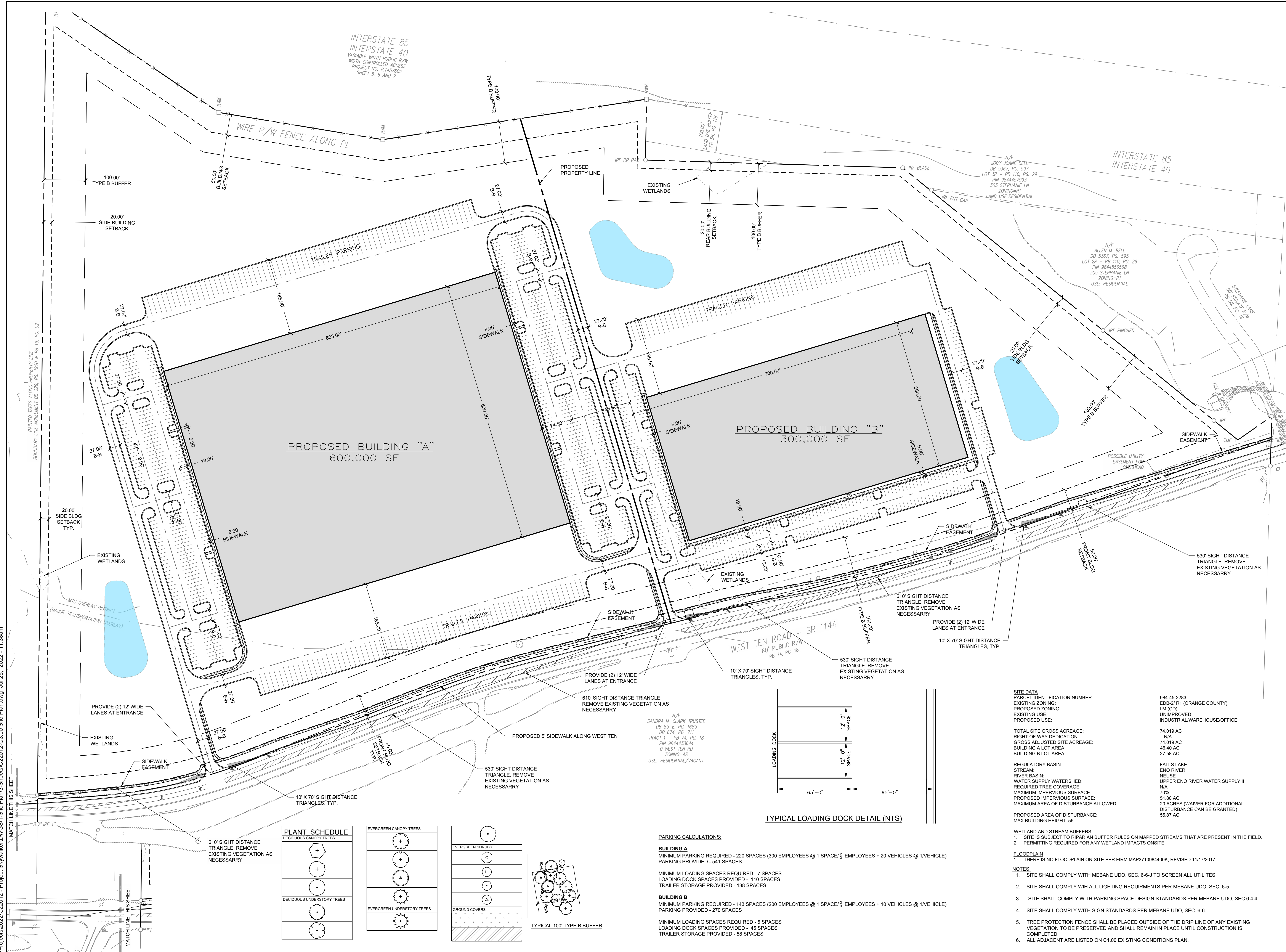
Project:  
**PROJECT  
SKYWALKER**

Issued for:  
**SITE PLAN**

No.	Date	Description
1	05.27.2022	PER CITY OF MEBANE
2	07.25.2022	PER CITY OF MEBANE
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---

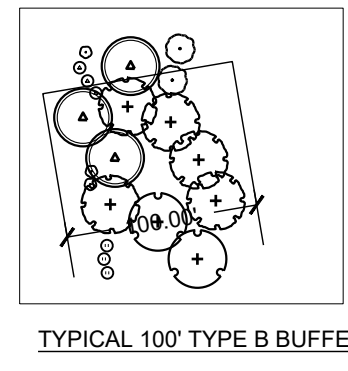
Title:  
**SITE PLAN**

Project number: C22012 Sheet #:  
Issued Date: 04.08.2022  
Drawn by: TS/HNJ  
Approved by: TS **C3.00**



L:\Projects\2022\C22012 - Project Skywalker\DWGS\1-Site Plan\3-Sheets\C22012-C3.00 Site Plan.dwg Jul 25, 2022 - 11:38am

PLANT SCHEDULE	
DECIDUOUS CANOPY TREES	
DECIDUOUS UNDERSTORY TREES	
EVERGREEN CANOPY TREES	
EVERGREEN SHRUBS	
EVERGREEN UNDERSTORY TREES	
GROUND COVERS	



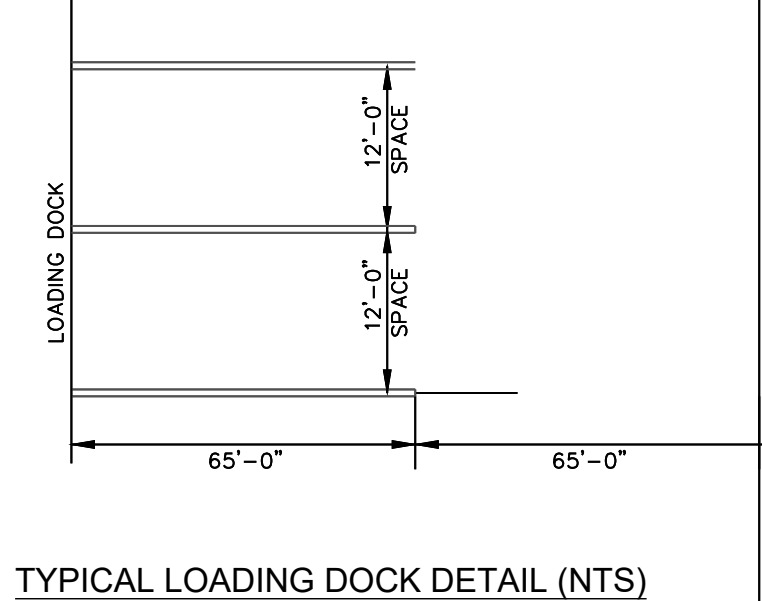
**PARKING CALCULATIONS:**

**BUILDING A**  
MINIMUM PARKING REQUIRED - 220 SPACES (300 EMPLOYEES @ 1 SPACE/3 EMPLOYEES + 20 VEHICLES @ 1/VEHICLE)  
PARKING PROVIDED - 541 SPACES

MINIMUM LOADING SPACES REQUIRED - 7 SPACES  
LOADING DOCK SPACES PROVIDED - 110 SPACES  
TRAILER STORAGE PROVIDED - 138 SPACES

**BUILDING B**  
MINIMUM PARKING REQUIRED - 143 SPACES (200 EMPLOYEES @ 1 SPACE/3 EMPLOYEES + 10 VEHICLES @ 1/VEHICLE)  
PARKING PROVIDED - 270 SPACES

MINIMUM LOADING SPACES REQUIRED - 5 SPACES  
LOADING DOCK SPACES PROVIDED - 45 SPACES  
TRAILER STORAGE PROVIDED - 58 SPACES



SITE DATA	
PARCEL IDENTIFICATION NUMBER:	984-45-2283
EXISTING ZONING:	EDB-2/R1 (ORANGE COUNTY)
PROPOSED ZONING:	LM (CD)
EXISTING USE:	UNIMPROVED
PROPOSED USE:	INDUSTRIAL/WAREHOUSE/OFFICE
TOTAL SITE GROSS ACREAGE:	74.019 AC
RIGHT OF WAY DEDICATION:	N/A
GROSS ADJUSTED SITE ACREAGE:	74.019 AC
BUILDING A LOT AREA:	46.40 AC
BUILDING B LOT AREA:	27.58 AC
REGULATORY BASIN:	FALLS LAKE
STREAM:	ENO RIVER
RIVER BASIN:	NEUSE
WATER SUPPLY WATERSHED:	UPPER ENO RIVER WATER SUPPLY II
REQUIRED TREE COVERAGE:	N/A
MAXIMUM IMPERVIOUS SURFACE:	70%
PROPOSED IMPERVIOUS SURFACE:	51.90 AC
MAXIMUM AREA OF DISTURBANCE ALLOWED:	20 ACRES (WAIVER FOR ADDITIONAL DISTURBANCE CAN BE GRANTED)
PROPOSED AREA OF DISTURBANCE:	55.87 AC
MAX BUILDING HEIGHT: 50'	

**WETLAND AND STREAM BUFFERS**  
1. SITE IS SUBJECT TO RIPARIAN BUFFER RULES ON MAPPED STREAMS THAT ARE PRESENT IN THE FIELD.  
2. PERMITTING REQUIRED FOR ANY WETLAND IMPACTS ONSITE.

**FLOODPLAIN**  
1. THERE IS NO FLOODPLAIN ON SITE PER FIRM MAP3710984400K, REVISED 11/17/2017.

**NOTES:**

- SITE SHALL COMPLY WITH MEBANE UDO, SEC. 6-6-J TO SCREEN ALL UTILITIES.
- SITE SHALL COMPLY WITH ALL LIGHTING REQUIREMENTS PER MEBANE UDO, SEC. 6-5.
- SITE SHALL COMPLY WITH PARKING SPACE DESIGN STANDARDS PER MEBANE UDO, SEC. 6.4.4.
- SITE SHALL COMPLY WITH SIGN STANDARDS PER MEBANE UDO, SEC. 6-6.
- TREE PROTECTION FENCE SHALL BE PLACED OUTSIDE OF THE DRIP LINE OF ANY EXISTING VEGETATION TO BE PRESERVED AND SHALL REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
- ALL ADJACENT ARE LISTED ON C1.00 EXISTING CONDITIONS PLAN.













PAINTED TREES ALONG PROPERTY LINE  
BOUNDARY LINE AGREEMENT (DB 225, PG. 1600 & PG. 19, PG. 02)

BUSHY COOK RD

INTERSTATE I-85/40

STEPHANIE LN

WEST TEN RD

PROPOSED BUILDING "A"  
600,000 SF

PROPOSED BUILDING "B"  
300,000 SF

SCM

SCM

SCM



# Project Skywalker

Mebane, North Carolina  
Illustrative Site Plan

JULY 29, 2022



STEWART



---

# PLANNING PROJECT REPORT

DATE	08/08/2022
PROJECT NUMBER	RZ 22-10
PROJECT NAME	Project Skywalker
APPLICANT	Williams Development Group 331 High Street Winston-Salem, NC 27101

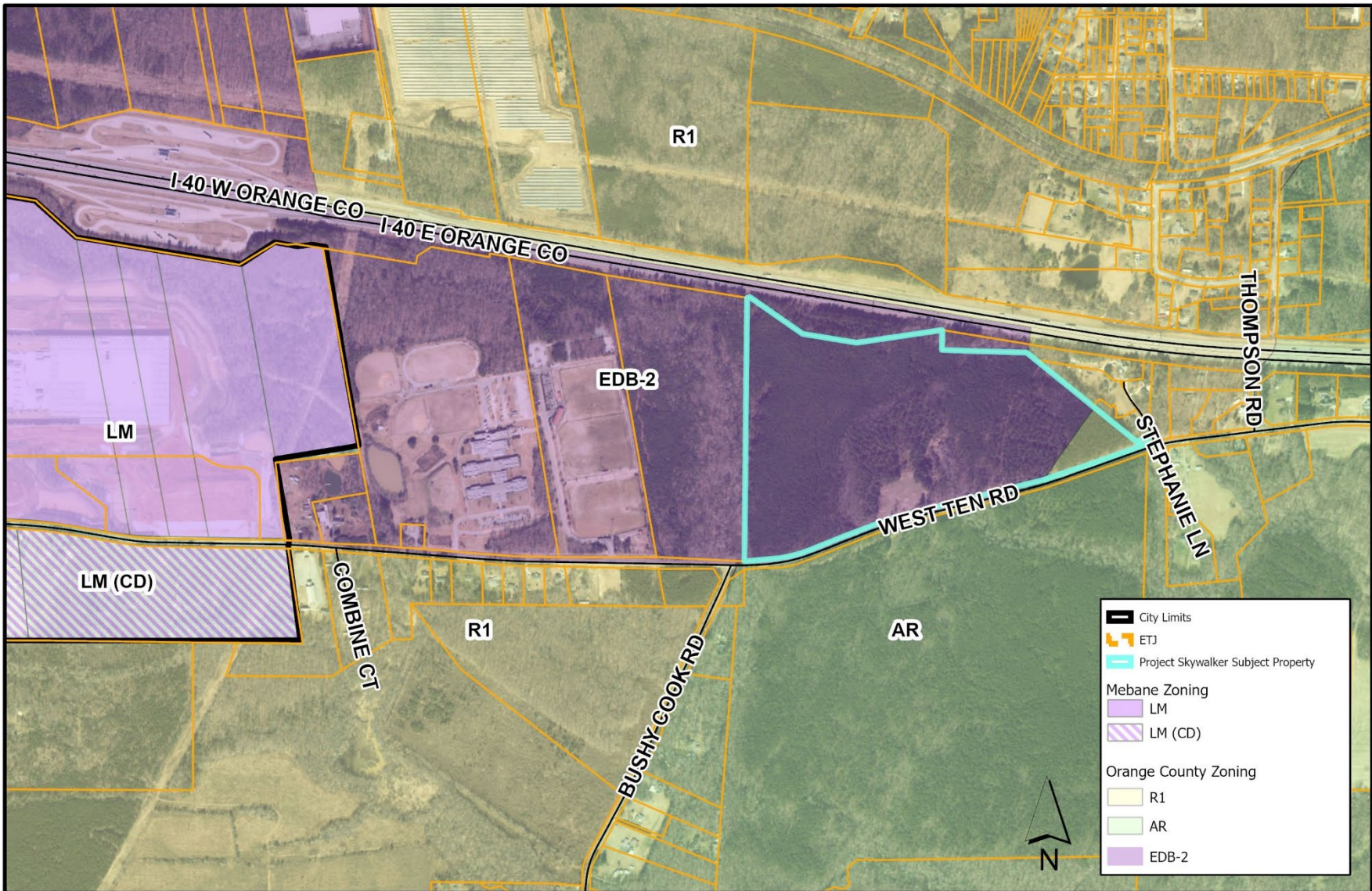
## CONTENTS

PROJECT NAME & APPLICANT .....	PAGE 1
ZONING REPORT .....	PAGE 2
LAND USE REPORT .....	PAGE 4
UTILITIES REPORT .....	PAGE 6
STAFF ZONING REQUEST RECOMMENDATION .....	PAGE 9

---

## ZONING REPORT

EXISTING ZONE	EDB-2 (Economic Development Buckhorn Higher Intensity, Orange County) and R1 (Rural Residential, Orange County)
REQUESTED ACTION	LM (CD) (Light Manufacturing, Conditional Zoning District)
CONDITIONAL ZONE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CURRENT LAND USE	Vacant, Forested
PARCEL SIZE	+/-73.978 acres
PROPERTY OWNERS	Sandra M Clark Trustee 3605 Glenwood Ave, Ste 500 Raleigh, NC 27512 GPIN: 9844452283
LEGAL DESCRIPTION	Request to establish LM (CD) zoning on the +/- 73.978-acre parcel located on West Ten Road outside of the Mebane Extraterritorial Jurisdiction (ETJ) in Orange County and identified by Parcel Identification Number 9844452283 by Williams Development Group.
AREA ZONING & DISTRICTS	Properties to the west are zoned EDB-2 (Economic Development Buckhorn Higher Intensity, Orange County), and properties to the north and east are zoned R1 (Residential, Orange County). Properties to the south are zoned AR (Agricultural Residential, Orange County). There are also properties in Mebane City Limits with LM zoning to the west on West Ten Road. The subject property is in the Upper Eno Protected Watershed Overlay District.
SITE HISTORY	The property has been under the same ownership since 2010. Prior to that, it has been owned by other trustees since 1995. The site has been vacant and mostly forested since at least 2006. A small portion of the southern part of the site along West Ten Road has been cleared since at least 2006.
<b>STAFF ANALYSIS</b>	
CITY LIMITS?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO The property must be annexed into City Limits prior to zoning action
PROPOSED USE BY-RIGHT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SPECIAL USE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
EXISTING UTILITIES?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
POTENTIAL IMPACT OF PROPOSED ZONE	The proposed rezoning is consistent with the EDB-2 Orange County Zoning District that encompasses most of the property as well as the properties to its west. It is also consistent with the LM Zoning in the City of Mebane approximately four parcels to the west. Interstate 40/85 separates the property from the undeveloped agricultural residential properties to the north. The proposed zoning will introduce more industrial development near the single-family detached residential parcels to the south and east, and the school to the west.



**CITY OF MEBANE  
ZONING MAP**

**Conditional Rezoning  
Williams Development Group**

1 inch = 1,000 feet

DATE: 09/06/22

DRAWN BY: AO

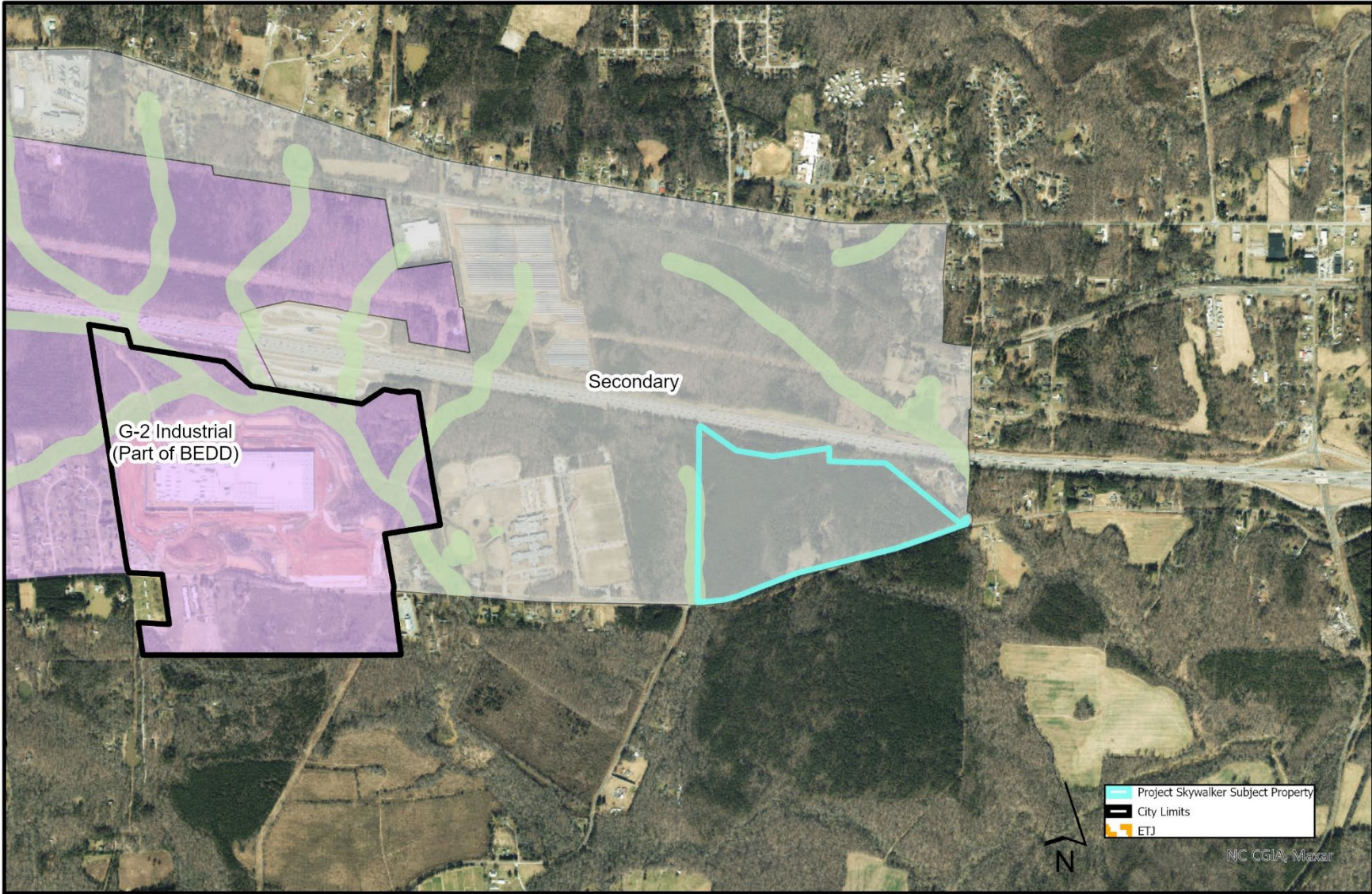
## LAND USE REPORT

<b>EXISTING LAND USE</b>	Vacant & Forested
<b>PROPOSED LAND USE &amp; REQUESTED ACTION</b>	The applicant is requesting a conditional rezoning to develop one property totaling +/- 73.978 acres located on West Ten Road (GPIN 9844452283) for a light industrial development of one +/- 300,000 square foot structure and one +/- 600,000 square foot structure.
<b>PROPOSED ZONING</b>	LM (CD) (Light Industrial, Conditional Zoning District)
<b>PARCEL SIZE</b>	+/- 73.978 acres
<b>AREA LAND USE</b>	The property to the site's immediate west is also vacant and forested. Properties further to the west include a soccer athletic complex and Gravelly Hill Middle School. The Medline Distribution Center is the closest industrial property with Mebane Zoning and is less than one mile from the site. Properties south of the subject property are also undeveloped and forested. Interstate 40/85 borders the property to the north. The lots to the north are undeveloped and forested. Adjoining lots to the east and northeast on Stephanie Lane and lots to the southwest on Bushy Cook Road primarily consist of single-family dwellings on larger lots.
<b>ONSITE AMENITIES &amp; DEDICATIONS</b>	The applicant proposes a 5' sidewalk along West Ten Road and to construct an internal sidewalk network to connect to the proposed structures from West Ten Road.
<b>WAIVER REQUESTED</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>DESCRIPTION OF REQUESTED WAIVER(S)</b>	A 20' Type C buffer is required between the two proposed lots. This buffer is being made up elsewhere on the property.

### CONSISTENCY WITH *MEBANE BY DESIGN* STRATEGY

<b>LAND USE GROWTH STRATEGY DESIGNATION(S)</b>	G-4 Secondary Growth Area
<b>OTHER LAND USE CONSIDERATIONS</b>	Upper Eno River Protected Watershed II
<b><i>MEBANE BY DESIGN</i> GOALS &amp; OBJECTIVES SUPPORTED</b>	<p>GROWTH MANAGEMENT 1.7 Continue to support industrial development at existing industrial parks near I-40/85.</p> <p>COORDINATION 5.1 Document and share information related to land development that can be utilized across levels of government for better decision making.</p>
<b><i>MEBANE BY DESIGN</i> GOALS &amp; OBJECTIVES <u>NOT</u> SUPPORTED</b>	





**CITY OF MEBANE**  
**Future Growth Area Map**

**Conditional Rezoning**  
**Williams Development Group**

1 inch = 1,500 feet

DATE: 09/06/22

DRAWN BY: AO



---

## UTILITIES REPORT

<b>AVAILABLE UTILITIES</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>PROPOSED UTILITY NEEDS</b>	Per the memorandum from Franz Holt of AWCK, the project is estimated to require 15,500 gallons per day of water and 12,500 gpd of sewer services. The project is proposed to be served from an extension of the City's existing 12-inch water line in West Ten Road from Gravelly Hill Middle School through the property's frontage to its eastern property line. Two domestic service connections and fire service connections are to be made to the proposed new line serving Buildings A and B. The project is proposed to be served by a 12-inch gravity sewer extension from the West Ten Pump Station to the property's frontage high point along West Ten Road. This public sewer line is sized to accommodate a possible future force main connection.
<b>UTILITIES PROVIDED BY APPLICANT</b>	Applicant has pledged to provide all on-site utilities, as described in AWCK's Technical Memo.
<b>MUNICIPAL CAPACITY TO ABSORB PROJECT</b>	The City has adequate water & sewer supply to meet the domestic and fire flow demands of the project.
<b>CONSISTENCY WITH MEBANE LONG RANGE UTILITY PLAN?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>ADEQUATE STORMWATER CONTROL?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>INNOVATIVE STORMWATER MANAGEMENT?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

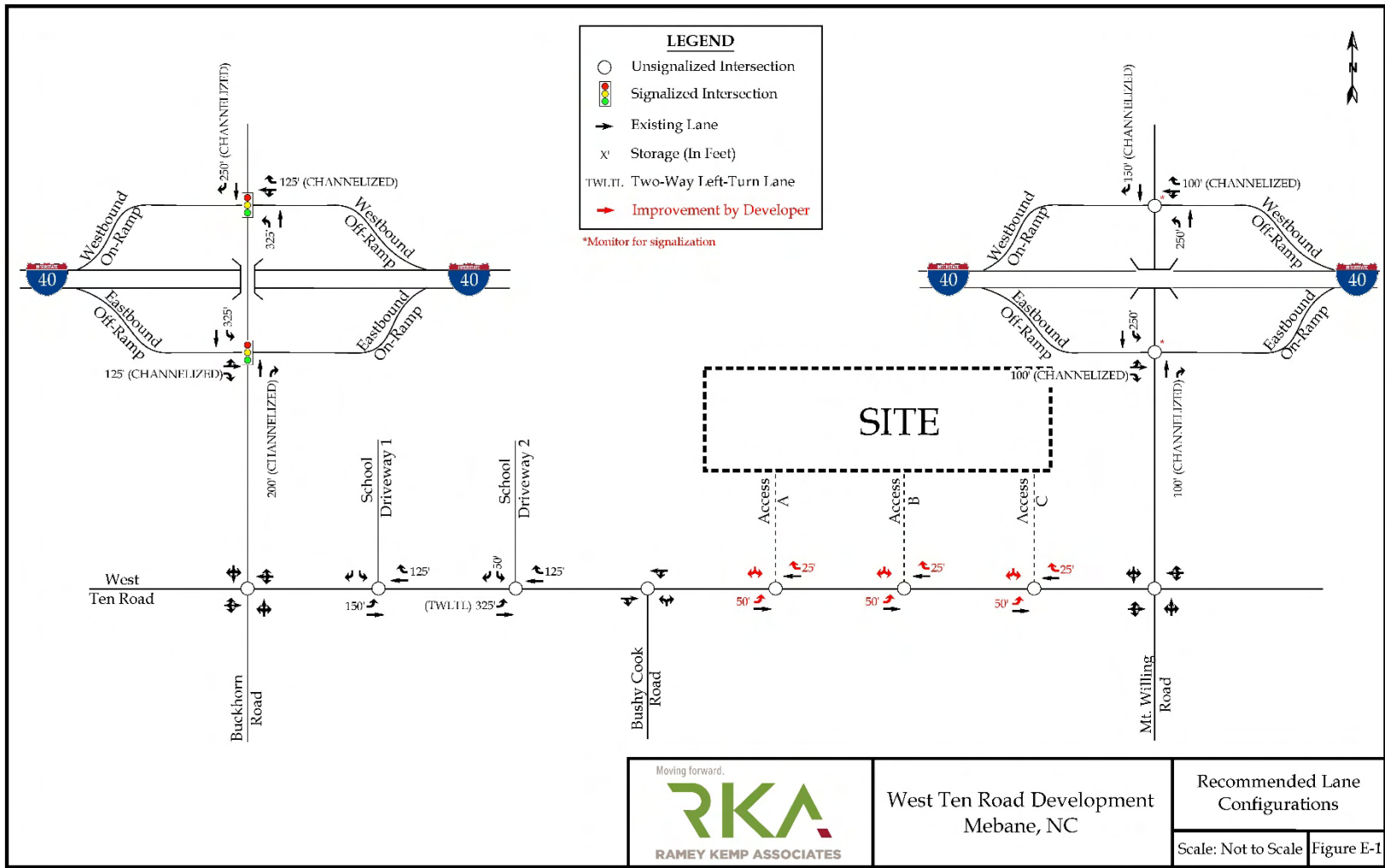
### TRANSPORTATION NETWORK STATUS

<b>CURRENT CONDITIONS</b>	<p>The subject property is situated north of West Ten Road less than one mile to the west of the intersection with Mt. Willing Road and less than two miles to the east of the intersection with Buckhorn Road. The site plan features three proposed driveway entrances on West Ten Road. The site plan shows left and right turn lanes from West Ten Road at each entrance.</p> <p>NCDOT provides traffic count data for sections of West Ten Road, which is currently a two-lane undivided road. In 2020, the section east of the site toward Mt. Willing Road had an average daily traffic volume of 1,000 trips, while the section of West Ten Road west of the site toward Buckhorn Road had an average daily traffic volume of 1,600 trips. Between Bushy Creek Road and Stephanie Lane, West Ten Road registers a moderate Safety Score of 34. There was one serious single-vehicle crash to the west of the subject property in January 2016 and one serious</p>
---------------------------	---

---

	two-vehicle crash at the intersection of West Ten Road and Buckhorn Road in August 2016.
<b>TRAFFIC IMPACT ANALYSIS REQUIRED?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>DESCRIPTION OF RECOMMENDED IMPROVEMENTS</b>	The findings of the study warrant exclusive eastbound left and westbound right lanes with at least 100 feet of full storage and appropriate taper at each of the proposed site entrances on West Ten Road. These improvements must be constructed as a condition of NCDOT driveway permit approval.
<b>CONSISTENCY WITH THE MEBANE BICYCLE AND PEDESTRIAN TRANSPORTATION PLAN?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
<b>MULTIMODAL IMPROVEMENTS PROVIDED BY APPLICANT?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>DESCRIPTION OF MULTIMODAL IMPROVEMENTS</b>	The applicant proposes to construct a sidewalk for the length of the property along West Ten Road.

---



---

## STAFF RECOMMENDATION

STAFF ZONING RECOMMENDATION	<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE
STAFF SPECIAL USE FINDING	<input type="checkbox"/> CONSISTENT <input type="checkbox"/> NOT CONSISTENT.....WITH <i>MEBANE BY DESIGN</i>
RATIONALE	The proposed development “Project Skywalker” is consistent with the guidance provided within <i>Mebane By Design</i> , the Mebane Comprehensive Land Development Plan. Specifically, it serves Goals 1.7 and 5.1. The proposed project is in harmony with nearby light industrial uses and uses currently permitted under the current Orange County Zoning.



August 2, 2022

Timothy Summerville, PE  
Stewart Engineering  
101 West Main St.  
Durham, NC 27701


Subject: Project Skywalker – Water and Sewer System

Regarding the subject Preliminary Site Plan and in accordance with the UDO, this letter is provided to indicate that I have reviewed the preliminary water and sewer system layout and find it acceptable and meets City standards based on the following:

1. Water system – The project is proposed to be served with from an extension of the City's existing 12-inch water line in West Ten Road picking it up at Gravelly Hill Middle School and carry it through the property frontage to its eastern property line. Two domestic service connections and fire service connections are to be made to the proposed new line serving Building A – 600,000 square feet and Building B – 300,000 square feet. The proposed private 8-inch fire line is to be looped around each building and interconnected. The public water extension and internal private water system will include necessary gate valves, fire hydrants, and service connections to each building (fire and metered domestic with RPZ backflow prevention for each). The estimated water usage is 15,500 GPD (100 GPD per truck bay). The City currently has adequate water capacity available to meet the domestic demand and fire flow requirements of this project.
2. Sanitary Sewer system – The project is proposed to be served by a 12-inch gravity sewer extension from West Ten Pump Station to the property frontage high point along West Ten Road. This public sewer line is sized to accommodate a possible future force main connection. Internal to the project site are two proposed 8-inch private sewer lines with appropriate manhole spacing to serve Buildings A & B. All private sewer improvements will be operated and maintained by the owner. The estimated sewer use for this project is 12,500 GPD (100 GPD per truck bay). The City currently has adequate sewer capacity available at the downstream sewer facilities (West Ten Pump Station, Southeast Regional Pump Station and Outfall, and at the WRRF to meet this demand).

The proposed public water and sewer improvements will be designed outside of the proposed turn lane improvements with easements being provided as needed.

If there are any questions, please let me know.

Sincerely,  
  
Franz K. Holt, P.E.  
City Engineer

CC: Ashley Ownbey  
Interim Development Director  
Kyle Smith, P.E.  
Public Utilities Director

**CITY OF MEBANE**

106 East Washington Street | Mebane, NC 27302

 919 563 5901

 fholt@cityofmebane.com

[WWW.CITYOFMEBANE.COM](http://WWW.CITYOFMEBANE.COM)





Technical Memorandum

Date: August 2, 2022

To: Ashley Ownbey,  
Interim Development Director

From: Franz K. Holt, P.E.  
City Engineer

Subject: Project Skywalker Industrial Development – City Engineering review

Preliminary Site Plans for Project Skywalker dated July 25<sup>th</sup>, 2022 and prepared by Tim Summerville, P.E. with Stewart Engineering Durham, NC, have been reviewed by the Engineering Department as a part of the TRC process. Our technical memo comments are as follows:

*A. General*

Project Skywalker is a proposed industrial development on a 74 acre site located on the north side of West Ten Road just east of Bushy Cook Road and between the Interstate I-40/I-85 and the Buckhorn Road Interchange and Mt. Willing Road Interchange. It is proposed that the site will be subdivided into two lots. Proposed Building A – 600,000 square feet being located on the western lot (46.4 acres) and Building B – 300,000 square feet on the eastern lot (27.6 acres). The project is served by one common entrance on West Ten Road with cross access and each lot/building having its own separate entrance on West Ten Road.

Stormwater management controls will be required to treat and detain the stormwater runoff from the proposed built upon surfaces.

A Traffic Impact Analysis (TIA) has been completed for the site and reviewed by NCDOT and City with certain roadway improvements being identified to West Ten Road. NCDOT review and approval will be required for utility encroachments, sidewalk improvements, the three proposed roadway connections, and roadway improvements associated with required turn lanes identified as a part of the TIA.

*B. Availability of City Water and Sewer*

Regarding the Preliminary Site Plan for Project Skywalker and in accordance with the UDO, this memo is provided to indicate that I have reviewed the preliminary water and sewer system layout and find it acceptable and meets City standards based on the following:

1. Water system – The project is proposed to be served with from an extension of the City's



existing 12-inch water line in West Ten Road picking it up at Gravelly Hill Middle School and carry it through the property frontage to its eastern property line. Two domestic service connections and fire service connections are to be made to the proposed new line serving Building A – 600,000 square feet and Building B – 300,000 square feet. The proposed private 8-inch fire line is to be looped around each building and interconnected. The public water extension and internal private water system will include necessary gate valves, fire hydrants, and service connections to each building (fire and metered domestic with RPZ backflow prevention for each). The estimated water usage is 15,500 GPD (100 GPD per truck bay). The City currently has adequate water capacity available to meet the domestic demand and fire flow requirements for this project.

2. Sanitary Sewer system – The project is proposed to be served by a 12-inch gravity sewer extension from West Ten Pump Station to the property frontage high point along West Ten Road. This public sewer line is sized to accommodate a possible future force main connection. Internal to the project site are two proposed 8-inch private sewer lines with appropriate manhole spacing to serve Buildings A & B. All private sewer improvements will be operated and maintained by the owner. The estimated sewer use for this project is 12,500 GPD (100 GPD per truck bay). The City currently has adequate sewer capacity available at the downstream sewer facilities (West Ten Pump Station, Southeast Regional Pump Station and Outfall, and at the WRRF to meet this demand).

C. *Phase II Stormwater Post Construction Ordinance, Watershed Overlay District, and Falls Lake Watershed Stormwater Regulations*

1. Watershed Overlay District requirements are provided under Sec. 5.4 of the UDO. This project is within the Upper Eno Water Supply Watershed and the project will be part of this expanded water supply watershed area for the Upper Eno Water Supply Watershed.

Falls Lake Nutrient Strategy

This project is in the Falls Lake Watershed and will comply with the City's Falls Lake Watershed Stormwater Regulation for New Development as provided under 5.5 of the UDO.

The project proposes to construct three privately maintained stormwater control measures (SCMs) meeting the City's requirements for treatment including nutrient removal. Additionally, the plans show providing proposed detention for the 100 year design storm post vs. pre-development discharge rate. Any device that has 2 feet or more of standing water requires fencing.

A special intensity allocation is required to allow 70% built upon area as proposed.

2. Phase II Stormwater Post Construction Ordinance  
Sec. 5.3 in the UDO provides standards for Storm Water Management and 5.4.F requires compliance with the Mebane Post Construction Runoff Ordinance (which is a stand-alone



ordinance titled the Phase II Stormwater Post Construction Ordinance (SPCO)). The standards in the UDO are general standards as the Ordinance itself provides detailed standards. The SPCO does apply to this project as it will disturb more than one acre of land and it is estimated that the new built upon will be more than 24% of the site.

The project proposes to construct three privately maintained stormwater management control devices meeting the City's requirements for stormwater treatment and detention.

#### *D. Storm Drainage System*

Sec. 5-2. D. in the UDO provides requirements for storm drainage systems. The preliminary site plans include a preliminary layout of storm drainage swales, piping, and inlets that collect stormwater runoff that is directed to stormwater management control devices where treatment and detention occurs before being discharged off-site.

#### *E. Street Access and TIA*

The industrial site proposes to access West Ten Road at three locations requiring NCDOT driveway permits. A TIA was completed by the developer and has been reviewed by NCDOT and the City. Additionally, NCDOT has recently completed improvements to West Ten Road from Buckhorn Road to Mt. Willing Road and has committed to construction of signals at both ramp intersections at the interchange of I-40/I-85 and Buckhorn Road. The TIA indicates that the two site accesses for Gravelly Hill Middle School operated acceptably at the time of study. At the request of the Orange County School System, Municipal & School Transportation Assistance (MSTA) will conduct a traffic study during the next academic year to evaluate safety and operation and make recommendations for any needed improvements.

Findings and Requirements of the developer are as follows:

##### West Ten Road and Site Drive A:

- Construct the northern leg (Site Drive A) with one ingress lane and one egress lane striped as a shared left/right lane under stop-control.
- Provide a minimum of 100 feet of internal protected stem length on the northern leg.
- Construct an exclusive eastbound left-turn lane with at least 100 feet of storage and appropriate transitions per NCOT requirements.
- Construct an exclusive westbound right-turn lane with at least 100' of storage and appropriate transitions per NCDOT requirements.

##### West Ten Road and Site Drive B:

- Construct the northern leg (Site Drive B) with one ingress lane and one egress lane striped as a shared left/right lane under stop-control.
- Provide a minimum of 125 feet of internal protected stem length on the northern leg.
- Construct an exclusive eastbound left-turn lane with at least 100 feet of storage and appropriate



transitions per NCOT requirements.

- Construct an exclusive westbound right-turn lane with at least 100' of storage and appropriate transitions per NCDOT requirements.

West Ten Road and Site Drive C:

- Construct the northern leg (Site Drive C) with one ingress lane and one egress lane striped as a shared left/right lane under stop-control.
- Provide a minimum of 100 feet of internal protected stem length on the northern leg.
- Construct an exclusive eastbound left-turn lane with at least 100 feet of storage and appropriate transitions per NCOT requirements.
- Construct an exclusive westbound right-turn lane with at least 100' of storage and appropriate transitions per NCDOT requirements.

#### *F. Construction Plan Submittal*

The UDO indicates that construction plans for all street facilities, including water and sewer facilities, shall be submitted following preliminary plat or site plan approval; therefore, construction plans are not required as a part of the site plan review. A utility plan is provided which generally shows the proposed water lines, sewer lines, and storm drainage and stormwater management devices to indicate that the project is feasible for utility service and providing stormwater management. Appendix E, which is included in the UDO, is a Construction Document checklist which is to be provided at such time as construction plans are submitted after Preliminary Site Plan approval. Based on city engineering review of the referenced preliminary site plans, it is my opinion that said plans are in substantial compliance with the UDO.



## Memorandum

To: Ashley Ownbey  
Interim Development Director  
City of Mebane

Date: July 25, 2022

C. N. Edwards Jr., PE  
District Engineer  
NCDOT Highway Division 7 District 1

Project #: 39160.00, Task 10

From: Baohong Wan, PhD, PE

Re: West Ten Road Industrial Traffic Impact Analysis **Revision**  
Mebane, NC

A Traffic Impact Analysis (TIA) was prepared by Ramey Kemp & Associates (RKA) for the proposed West Ten Road Industrial development located between Mt. Willing Road and Buckhorn Road in Mebane, North Carolina. VHB is contracted by the City of Mebane to conduct an independent review of the TIA. This memo provides a list of critical findings, following by an in-depth summary of study assumptions and analysis results.

### List of Mitigation Recommendations

The following items in **red** should be considered in addition to mitigation measures that have been identified within the West Ten Road Industrial TIA:

- › Mt. Willing Road at I-40 EB/ I-85 NB Ramps
  - Monitor for signalization
- › Mt. Willing Road at I-40 WB/ I-85 SB Ramps
  - Monitor for signalization
- › West Ten Road and Mt. Willing Road
  - **Monitor for signalization**
- › West Ten Road and Buckhorn Road
  - **Monitor for signalization**
- › West Ten Road at Access A
  - Construct the southbound approach with one ingress lane and one egress lane.
  - Provide an exclusive eastbound left-turn lane with at least **100** feet of full storage and appropriate taper.
  - Provide an exclusive westbound right-turn lane with at least **100** feet of full storage and appropriate taper.
- › West Ten Road at Access B
  - Construct the southbound approach with one ingress lane and one egress lane.
  - Provide an exclusive eastbound left-turn lane with at least **100** feet of full storage and appropriate taper.
  - Provide an exclusive westbound right-turn lane with at least **100** feet of full storage and appropriate taper.
- › West Ten Road at Access C
  - Construct the southbound approach with one ingress lane and one egress lane.
  - Provide an exclusive eastbound left-turn lane with at least **100** feet of full storage and appropriate taper.
  - Provide an exclusive westbound right-turn lane with at least **100** feet of full storage and appropriate taper.
- › Multimodal Considerations: compliance of multimodal transportation requirements should be examined to ensure adequacy of pedestrian, bike, and transit facilities across the project site and along roadways comprising the property frontage.

VHB Engineering NC, P.C. (C-3075)

Engineers | Scientists | Planners | Designers

Venture I, 940 Main Campus Drive, Suite 500, Raleigh, North Carolina 27606

P 919.829.0328 F 919.833.0034 www.vhb.com



## Summary of TIA Assumptions and Results

### Development Plan

The proposed West Ten Road Industrial development will consist of up to 900,000 square feet (sf) of a industrial land use and will be accessed via three (3) new full movement driveways along West Ten Road. A current plan is provided with the TIA resubmittal that depicts the planned driveway locations and spacings, intended traffic circulation and driveway utilization, and internal protected stem lengths.

### Multimodal Analysis

Multimodal analysis was performed for the study area in accordance with the City's requirements. The analysis indicated that paved shoulders along Buckhorn Road are recommended in the City of Mebane 2015 Bicycle and Pedestrian Transportation Plan, while STIP U-6245 plans to add paved shoulders along West Ten Road. No improvements are recommended by the developer.

To be consistent with the Bicycle and Pedestrian Transportation Plans, paved shoulders and sidewalks on West Ten Road along the project site frontage should be constructed to improve bicycle and pedestrian quality of service in the area.

### Study Area and Analysis Scenarios

The TIA included the following intersections through coordination with NCDOT and the City of Mebane:

- › Buckhorn Road at I-40 Westbound Ramps (unsignalized, TWSC)
- › Buckhorn Road at I-40 Eastbound Ramps (unsignalized, TWSC)
- › West Ten Road at Buckhorn Road (unsignalized, AWSC)
- › West Ten Road at Gravelly Hill Middle School Driveway #1 (unsignalized, TWSC)
- › West Ten Road at Gravelly Hill Middle School Driveway #2 (unsignalized, TWSC)
- › West Ten Road at Bushy Cook Road (unsignalized, TWSC)
- › West Ten Road at Mt. Willing Road (unsignalized, AWSC)
- › Mt. Willing Road at I-40 Eastbound Ramps (unsignalized, TWSC)
- › Mt. Willing Road at I-40 Westbound Ramps (unsignalized, TWSC)
- › West Ten Road at Access A (future unsignalized, TWSC)
- › West Ten Road at Access B (future unsignalized, TWSC)
- › West Ten Road at Access C (future unsignalized, TWSC)

The TIA included capacity analyses during the weekday AM and PM peak hours under the following scenarios:

- › 2021 Existing Traffic Conditions
- › 2023 No-Build Traffic Conditions
- › 2023 Build Traffic Conditions

### Existing and No-Build Analysis Assumptions

Existing (2021) analysis was conducted based on traffic counts conducted in December 2021 during typical weekday AM (7 to 9 AM) and PM (4 to 6 PM) peak hours. The December 2021 counts at intersections along West Ten Road appear adequate in comparison to the calibrated 2021 traffic volumes included in the Buckhorn Business Center TIA, which used different traffic data and methodology. However, traffic counts at the I-40/I-85 interchange intersections appear lower than Buckhorn Business Center TIA.

The No-Build scenario included an annual growth rate of two percent (2%) between the existing year (2021) and the future analysis year (2023). Based on coordination with the NCDOT and the City, the following adjacent developments were identified and included in the future year analyses:

- › Project Titanium
- › Medline
- › West Ten Industrial
- › Buckhorn Business Centre
- › Efland Industrial
- › Bowman Subdivision (only 25% trips applied)

One (1) background roadway improvement project was identified within the study area which includes to construct traffic signals at both ramp intersections at the interchange of I-40/ I-85 and Buckhorn Road.

## Trip Generation & Distribution

Trip generation potential was determined based on methodology outlined in the ITE Trip Generation Manual, 11<sup>th</sup> Edition. Based on the TIA, the proposed development is expected to generate 3,434 total daily trips with 616 trips (542 entering, 74 exiting) occurring during the AM peak hour and 196 trips (27 entering, 169 exiting) occurring during the PM peak hour. Truck trips are expected to account for about 9 trips (5 entering and 4 exiting) during the weekday AM peak hour, and 9 trips (4 entering and 5 exiting) during the weekday PM peak hour.

Based on existing traffic patterns, population centers adjacent to the study area, and engineering judgment, vehicle site traffic for passenger vehicles were distributed as follows:

- › 30% to/from the east via I-40/ I-85
- › 30% to/from the west via I-40/ I-85
- › 5% to/from the north via Buckhorn Road
- › 5% to/from the north via Mt. Willing Road
- › 15% to/from the west via West Ten Road
- › 5% to/from the east via West Ten Road
- › 5% to/from the south via Bushy Cook Road
- › 5% to/from the south via Mt. Willing Road

Truck traffic were distributed 50/50 to/from the east and west along I-40/I-85 via the Mr. Willing Road interchange.

## Capacity Analysis Results

Capacity analyses in the TIA were conducted following the NCDOT Congestion Management Capacity Analysis Guidelines. The analysis results and mitigation determinations are summarized below for each individual intersection, while LOS and delay are reported and summarized for stop-controlled approaches at unsignalized intersections.

Buckhorn Road at I-40 WB/ I-85 SB Ramps (unsignalized, future signalized)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
1	<b>Buckhorn Road at I-40 WB/ I-85 SB Ramps</b>	Unsignalized/ Signalized	N/A	N/A	<b>C (21.8)</b>	<b>B (13.2)</b>	<b>C (22.9)</b>	<b>B (13.3)</b>
	Westbound		C-17.5	C-20.5	C-25.5	A-9.8	C-25.5	A-9.8
	Northbound		---	---	C-21.3	B-16.2	C-22.1	B-16.3
	Southbound		---	---	C-20.4	B-14.3	C-22.2	B-14.4

The TIA indicated that this future signalized intersection is expected to operate at LOS C during the AM peak hour and LOS B during the PM peak hour under the build-out conditions. Since traffic operations at the intersection are expected to meet the UDO standards, no mitigation was recommended in the TIA by the proposed development.

Buckhorn Road at I-40 EB/ I-85 NB Ramps (unsignalized, future signalized)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
2	<b>Buckhorn Road at I-40 EB/ I-85 NB Ramps</b>	Unsignalized/ Signalized	N/A	N/A	<b>B (15.2)</b>	<b>B (16.3)</b>	<b>B (14.8)</b>	<b>B (16.5)</b>
	Eastbound		F-242.6	D-34.7	B-16.3	C-22.0	B-15.4	C-21.9
	Northbound		---	---	C-24.3	B-17.0	C-25.1	B-17.7
	Southbound		---	---	A-10.0	B-12.7	A-9.3	B-12.6

The TIA indicated that this future signalized intersection is expected to operate at LOS B during both peak hours under build-out conditions. Since traffic operations at the intersection are expected to meet the UDO standards, no mitigation was recommended in the TIA by the proposed development.

West Ten Road at Buckhorn Road (unsignalized, AWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
3	<b>West Ten Road at Buckhorn Road</b>	Unsignalized (AWSC)	<b>B (10.1)</b>	<b>A (9.1)</b>	<b>C (18.2)</b>	<b>B (12.0)</b>	<b>E (37.2)</b>	<b>B (12.9)</b>
	Eastbound		B-10.2	A-8.9	B-14.2	B-10.9	C-24.7	B-11.2
	Westbound		A-9.2	A-8.9	B-13.7	B-12.4	C-18.6	B-13.9
	Northbound		A-9.0	A-8.8	B-11.3	B-10.5	B-13.4	B-10.8
	Southbound		B-10.9	A-9.4	C-24.7	B-12.9	F-60.9	B-13.6

The TIA indicated that this all-way stop-control intersection is expected to operate at LOS E during the AM peak hour and LOS B during the PM peak hour under build-out conditions. The southbound stop-controlled approach is projected to operate at LOS F during the AM peak hour. No mitigation was recommended in the TIA by the proposed development. A dedicated left-turn lane on the southbound approach was considered during the first submittal review, but it was not supported by NCDOT due to right-of-way concerns and potential complications at an AWSC intersection. To meet the UDO standards for intersection LOS, the following mitigations should be considered at this intersection:

- > Monitor for signalization.

West Ten Road at Gravelly Hill Middle School Driveway #1 (unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
4	<b>West Ten Road at Gravelly Hill Middle School Driveway #1</b>	Unsignalized (TWSC)	N/A	N/A	N/A	N/A	N/A	N/A
	Southbound		B-12.4	A-9.4	B-14.0	A-9.8	C-16.6	B-10.1

The TIA indicated that the stop-controlled approach is expected to operate at LOS C during the AM peak hour and LOS B during the PM peak hour under build-out conditions. Since traffic operations at the intersection are expected to meet the UDO standards, no mitigation was recommended in the TIA by the proposed development.

West Ten Road at Gravelly Hill Middle School Driveway #2 (unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
5	<b>West Ten Road at Gravelly Hill Middle School Driveway #2</b>	Unsignalized (TWSC)	N/A	N/A	N/A	N/A	N/A	N/A
	Southbound		B-10.0	A-9.5	B-10.7	A-9.8	B-11.4	B-10.1

The TIA indicated that the stop-controlled approach is expected to operate at LOS B during both peak hours under build-out conditions. Since traffic operations at the intersection are expected to meet the UDO standards, no mitigation was recommended in the TIA by the proposed development.

West Ten Road at Bushy Cook Road (unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
6	<b>West Ten Road at Bushy Cook Road</b>	Unsignalized (TWSC)	N/A	N/A	N/A	N/A	N/A	N/A
	Northbound		B-10.0	A-9.3	B-10.4	A-9.7	B-11.7	A-9.9

The TIA indicated that the stop-controlled approach is expected to operate at LOS B during both peak hours under build-out conditions. Since traffic operations at the intersection are expected to meet the UDO standards, no mitigation was recommended in the TIA by the proposed development.

West Ten Road at Mt. Willing Road (unsignalized, AWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
7	<b>West Ten Road at Mt. Willing Road</b>	Unsignalized (AWSC)	<b>A (9.5)</b>	<b>A (9.1)</b>	<b>B (10.7)</b>	<b>B (10.1)</b>	<b>F (53.2)</b>	<b>B (12.4)</b>
	Eastbound		B-10.2	A-9.2	B-11.8	B-10.7	C-22.6	B-14.5
	Westbound		A-8.9	A-9.0	A-9.7	A-9.6	B-14.2	B-10.2
	Northbound		A-9.3	A-8.8	B-10.3	A-9.4	C-15.7	B-10.2
	Southbound		A-8.9	A-9.3	B-10.4	B-10.2	<b>F-88.7</b>	B-11.6

The TIA indicated that this all-way stop-control intersection is expected to operate at LOS F during the AM peak hour and LOS C during the PM peak hour under build-out conditions, while the southbound stop-controlled approach is projected to operate at LOS F during the AM peak hour. No mitigation was recommended in the TIA by the proposed development. A dedicated right-turn lane on the southbound approach and a left-turn lane on the eastbound approach were considered during the first submittal review, but

they were not supported by NCDOT due to right-of-way concerns and potential complications at an AWSC intersection. To meet the UDO standards for intersection LOS, the following mitigations should be considered at this intersection:

- > Monitor for signalization.

Mt. Willing Road at I-40 EB/ I-40 NB Ramps (unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
8	<b>Mt. Willing Road at I-40 EB/ I-85 NB Ramps</b>	Unsignalized (TWSC)	N/A	N/A	N/A	N/A	N/A	N/A
	Eastbound		F-54.9	C-19.5	F-417.5	D-32.1	F-424.3	E-36.1

The TIA indicated that the stop-controlled approach is expected to operate at LOS F during the AM peak hour and LOS E during the PM peak hour under the build-out conditions. The TIA indicated that heavy queuing is anticipated on the northbound approach that is expected to spill back into the intersection of Mt. Willing Road and West Ten Road, while peak hour signal warrants would likely be met under both the No-Build and Build conditions. The following mitigation was recommended in the TIA by the proposed development:

- > Monitor for signalization.

Mt. Willing Road at I-40 WB/ I-40 SB Ramps (unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
9	<b>Mt. Willing Road at I-40 WB/ I-85 SB Ramps</b>	Unsignalized (TWSC)	N/A	N/A	N/A	N/A	N/A	N/A
	Westbound		B-11.2	B-13.5	B-14.4	C-15.6	F-68.7	C-17.4

The TIA indicated that the stop-controlled approach is expected to operate at LOS F during the AM peak hour and LOS D during the PM peak hour under build-out conditions. The TIA indicated that peak hour signal warrants would likely be met under both the No-Build and Build conditions. The following mitigation was recommended in the TIA by the proposed development:

- > Monitor for signalization.

West Ten Road at Access A (future unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
10	<b>West Ten Road at Access A</b>	Unsignalized (TWSC)	-	-	-	-	N/A	N/A
	Southbound		---	---	---	---	B-13.2	B-10.1

The TIA indicated that the proposed stop-controlled driveway is expected to operate at LOS B during both peak hours under build-out conditions. The projected number of left-turning traffic into the site meets warrants for the construction of an exclusive left-turn lane along West Ten Road. Turn lanes along West Ten Road were recommended in the TIA to accommodate the new driveway. The following mitigation should be provided by the proposed development to meet the minimum design requirements:

- > Provide an exclusive eastbound left-turn lane with at least 100 feet of full storage and appropriate taper.
- > Provide an exclusive westbound right-turn lane with at least 100 feet of full storage and appropriate taper.



West Ten Road at Access B (future unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
11	<b>West Ten Road at Access B</b>	Unsignalized (TWSC)	-	-	-	-	N/A	N/A
	Southbound		---	---	---	---	C-15.4	B-12.0

The TIA indicated that the proposed stop-controlled driveway is expected to operate at LOS C during both peak hours under build-out conditions. The projected number of right-turning traffic into the site meets warrants for the construction of an exclusive right-turn lane along West Ten Road. Additionally, a left-turn lane should be considered to provide a consistent roadway cross-section along West Ten Road between the site driveways. No mitigation along West Ten Road was recommended in the TIA to accommodate the new driveway. The following mitigation should be provided by the proposed development to meet the minimum design requirements:

- › Provide an exclusive eastbound left-turn lane with at least 100 feet of full storage and appropriate taper.
- › Provide an exclusive westbound right-turn lane with at least 100 feet of full storage and appropriate taper.

West Ten Road at Access C (future unsignalized, TWSC)

ID	Intersection and Approach	Traffic Control	Existing (2021)		No-Build (2023)		Build (2023)	
			AM	PM	AM	PM	AM	PM
12	<b>West Ten Road at Access C</b>	Unsignalized (TWSC)	-	-	-	-	N/A	N/A
	Southbound		---	---	---	---	C-19.6	B-11.6

The TIA indicated that the proposed stop-controlled driveway is expected to operate at LOS C during both peak hours under build-out conditions. The projected number of right-turning traffic into the site meets warrants for the construction of an exclusive right-turn lane along West Ten Road. Additionally, a left-turn lane should be considered to provide a consistent roadway cross-section along West Ten Road between the site driveways. No mitigation along West Ten Road was recommended in the TIA to accommodate the new driveway. The following mitigation should be provided by the proposed development to meet the minimum design requirements:

- › Provide an exclusive eastbound left-turn lane with at least 100 feet of full storage and appropriate taper.
- › Provide an exclusive westbound right-turn lane with at least 100 feet of full storage and appropriate taper.



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

July 18, 2022

**ORANGE COUNTY**

Chase Smith, PE  
Ramey Kemp and Associates  
5808 Faringdon Place, Suite 100  
Raleigh, NC 27609

Subject: Proposed West Ten Road Development (Project Skywalker) Located on  
SR 1146 (West Ten Road)  
**Review of Traffic Impact Analysis (TIA)**

Dear Mr. Smith,

NCDOT staff has completed a collaborative review with the City of Mebane of the above subject. Based on the information provided we offer the following comments with regard to the state road network.

**General:**

The proposed site is located north of West Ten Road and east of Bushy Cook Road in Mebane. The area is currently experiencing robust development and the study has considered increases in background traffic volumes associated with general growth and specific approved developments. The proposed site consists of 900,000 SF of industrial/warehouse development and is expected to generate approximately 3,434 new daily trips upon full build out in 2023. The TIA indicates that specific land use(s) have not been identified and land use code (LUC) 110 was utilized as a conservative approach for estimation of site trips for the purposes of the analysis. The applicant should be aware that additional analysis may be necessary if ultimate uses are determined to result in trip generation substantially greater than that used for this study. The TIA analysis included three proposed full-movement accesses located on West Ten Road.

**Background Committed Improvements:**

NCDOT has recently completed Project U-6245 on West Ten Road consisting of construction of paved shoulders and resurfacing from Buckhorn Road to Mt. Willing Road. These improvements do not increase capacity at any of the study intersections.

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
DIVISION 7, DISTRICT 1  
PO BOX 766  
GRAHAM, NC 27253-0766

*Telephone:* (336) 570-6833  
*Fax:* (336) 570-6873  
*Customer Service:* 1-877-368-4968

*Location:*  
115 EAST CRESCENT SQUARE DRIVE  
GRAHAM, NC 27253

*Website:* [www.ncdot.gov](http://www.ncdot.gov)

NCDOT has committed to the construction of signals at both ramp intersections at the interchange of I-40/I-85 and Buckhorn Road subject to the City of Mebane securing funding from developer contributions for the project. These improvements were considered in the analysis.

**Future Analysis by Others:**

The TIA indicates that the two site accesses for Gravelly Hill Middle School operated acceptably at the time of this study. At the request of Orange County School System, Municipal & School Transportation Assistance (MSTA) will conduct a traffic study during the next academic year to evaluate safety and operation and make recommendations for any needed improvements.

**Findings and Requirements:**

Based on the information provided and as a condition of the pending driveway permit, the developer will be required to construct the following road improvements to mitigate the anticipated impacts of site traffic.

**West Ten Road and Site Drive A:**

- Construct the northern leg (Site Drive A) with one ingress lane and one egress lane striped as a shared left/right lane under stop-control.
- Provide a minimum of 100 feet of internal protected stem length on the northern leg.
- Construct an exclusive eastbound left-turn lane with at least 100 feet of storage and appropriate transitions per NCDOT requirements.
- Construct an exclusive westbound right-turn lane with at least 100 feet of storage and appropriate transitions per NCDOT requirements.

**West Ten Road and Site Drive B:**

- Construct the northern leg (Site Drive B) with one ingress lane and one egress lane striped as a shared left/right lane under stop-control.
- Provide a minimum of 125 feet of internal protected stem length on the northern leg.
- Construct an exclusive eastbound left-turn lane with at least 100 feet of storage and appropriate transitions per NCDOT requirements.
- Construct an exclusive westbound right-turn lane with at least 100 feet of storage and appropriate transitions per NCDOT requirements.

**West Ten Road and Site Drive C:**

- Construct the northern leg (Site Drive C) with one ingress lane and one egress lane striped as a shared left/right lane under stop-control.
- Provide a minimum of 100 feet of internal protected stem length on the northern leg.
- Construct an exclusive eastbound left-turn lane with at least 100 feet of storage and appropriate transitions per NCDOT requirements.
- Construct an exclusive westbound right-turn lane with at least 100 feet of storage and appropriate transitions per NCDOT requirements.

**Multi-modal and Streetscape Enhancements:**

Any locally stipulated multi-modal enhancements including but not limited to sidewalk, bike lanes, bus pull offs, lighting, landscaping etc. on State maintained routes are subject to NCDOT requirements and approval through the encroachment process.

**General Requirements:**

It is necessary to obtain an approved driveway permit and/or encroachment agreement(s) prior to performing work on the NCDOT right of way. As a condition of the permit, the permittee shall be responsible for design and construction of the above stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved site plan, roadway and signal construction plans as needed, inspection fee, and any necessary performance and indemnity bonds.

The applicant shall dedicate any additional right of way necessary to accommodate the required road improvements or future improvements as stipulated.

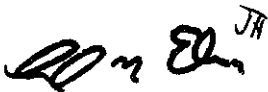
Intersection radii and geometry shall be designed to accommodate turning movements of the largest anticipated vehicle.

All pavement markings shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadway.

The permittee shall be responsible for the installation and relocation of any additional highway signs that may be necessary due to these improvements and shall comply with the requirements of the MUTCD.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. N. Edwards Jr." with the initials "Jr" written above the name.

C. N. Edwards Jr., PE  
District Engineer

Cc: W.R. Archer, III, PE, Division Engineer  
D.M. McPherson, Division Traffic Engineer  
Brian Thomas, Regional Traffic Safety Engineer  
City of Mebane



---

## AGENDA ITEM #6

Memorandum of Understanding (MOU) Agreement with Alamance Burlington School System (ABSS) for new School Resource Officer Positions and Budget Ordinance Amendment

---

### Meeting Date

September 12, 2022

---

### Presenter

Police Chief Terrence Caldwell  
Finance Director Daphna Schwartz

---

### Public Hearing

Yes  No

---

### Summary

Council will consider approval of an MOU with ABSS for SRO positions and the needed Budget Ordinance Amendment.

---

### Background

Since 2008, the City has funded an SRO position at Hawfields Middle School. In June of 2022, the Alamance County Commissioners approved funding allowing full-time School Resource Officers in all its schools. The funding will apply to Audrey Garrett, South Mebane, and E.M. Yoder for the City of Mebane. ABSS has also agreed to fund the SRO position at Hawfields Middle School.

The police department, through an assessment process, has selected three sworn, experienced officers to fill the SRO openings at the elementary schools. These officers have already received the mandated training and certification required by the state. New hires will backfill their positions. The School Resource Officers' assignments shall be permanent.

---

### Financial Impact

The salary and benefits for four SRO positions will cost the City \$354,739 per year. The middle school SRO position was already budgeted, so that the City will expend an additional \$272,115 on salary and benefits for the three unbudgeted positions. ABSS will provide \$280,000 in funding per year for four SRO positions. The City will use the remaining \$7,885 and general fund revenue to cover all other costs associated with the SRO positions.

---

### Recommendation

Staff recommends approval of the SRO MOU Agreement and Budget Ordinance Amendment as presented.

---

### Suggested Motion

I motion to approve the SRO MOU Agreement and Budget Ordinance Amendment as presented.

---

### Attachments

1. Memorandum of Understanding Agreement
2. Budget Ordinance Amendment



**SCHOOL RESOURCE OFFICER PROGRAM  
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding ("MOU") is made this the 1st day of July 2022, by and between the Alamance-Burlington School System Board of Education ("Board"), the governing body of the Alamance-Burlington School System ("ABSS") and the following local law enforcement agencies (each, an "Agency" collectively the "Agencies"):

- Alamance County Sheriff's Office
- Burlington Police Department
- Mebane Police Department
- Graham Police Department
- Haw River Police Department
- Town of Elon Police Department

**WITNESSETH**

WHEREAS, the Board and the Agencies mutually recognize the potential outstanding benefits to the citizens of Alamance County, North Carolina, and particularly to the students of the public school system of Alamance County, North Carolina, of assigning law enforcement officers to provide security services in the public schools in Alamance County, North Carolina;

WHEREAS, the Board desires to have the Agencies provide sworn law enforcement officers to serve as School Resource Officers in the public schools in Alamance County;

WHEREAS, the Agencies are willing to provide School Resource Officers to the schools in Alamance County;

WHEREAS, it is in the best interest of the Board, the Agencies, and the citizens of Alamance County to establish the school security services as hereinafter described.

NOW, THEREFORE, in consideration of the promises and covenants of the parties hereto herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Board and the Agencies do hereby agree as follows:

**Article I  
Purpose and Scope of MOU**

This MOU formalizes the relationship between the Board and the Agencies in order to foster an efficient and cohesive program that will build a positive relationship between law enforcement officers and the students in the Alamance-Burlington School System, establish lines of communication between school and police personnel, and clearly delineate their roles and responsibilities. A School Resource Officer Program is hereby established in the public school system of Alamance County, North Carolina to promote a safe and secure environment on the campuses of the public schools in Alamance County by minimizing the potential of crime and violence. The Parties acknowledge the importance of clear structures and governance for this MOU. The Parties agree that communicating these structures to the school community, including teachers and other school staff, students, and families, is important to the success of the MOU and the School Resource Officer Program.

School Resource Officers (SROs) are, first, law enforcement officers whose primary duty is enforcement of the law. SROs also foster a positive school climate by demonstrating respect for student rights and protecting the safety of the school environment. SROs provide a valuable and specialized resource within the school campus community. As such, the Parties recognize the need to protect this valuable resource by clearly defining how law enforcement resources are most effectively deployed to ensure safety on campuses while fostering a positive learning environment for all students and faculty. Responsibility of the conduct of law enforcement officers, both personally and professionally, shall remain with the assigning Agency. Except as otherwise provided herein, SROs shall remain subject to the general supervision of their assigning Agency at all times while on any school campus.

Subject to Article IV, the School Resource Officer Program and the assignment of Reserve Officers shall continue indefinitely hereafter contingent upon the availability of funds for the program; however, the parties shall revisit the terms of this MOU annually.

## **Article II**

### **School Resource Officer Program**

1. Mission Statement of the School Resource Officer Program
  - a. The mission of the Program is to support and foster the safe and healthy development of all students in the public schools in Alamance County through strategic and appropriate use of law enforcement resources and with the mutual understanding that school participation and completion is indispensable to achieving positive outcomes for youth and public safety.
  
2. Goals and Objectives of the School Resource Officer Program
  - a. To foster a safe and supportive school environment that allows all students to learn and flourish regardless of race, religion, national origin, immigration status, gender, disability, sexual orientation, gender identity, and socioeconomic status;
  - b. To help maintain a positive school climate for all students, families, and staff;
  - c. To promote school participation and completion by students;
  - d. To support the Board's efforts to minimize exclusionary discipline practices and to support law enforcement's efforts to reduce criminal referrals of students;
  - e. To encourage relationship-building by the SRO such that students and community members see the SRO as a facilitator of needed supports as well as a source of protection;
  - f. To seek and provide training to SRO's required by law and consistent with best practices.
  
3. Duties of the Agencies.
  - a. The Agencies shall assign regularly employed law enforcement officers to serve as SROs in certain ABSS schools. Any law enforcement officer assigned to serve as an SRO shall be in good standing and have a positive work history with the assigning Agency.
  - b. Each Agency shall designate a regularly employed law enforcement officer to supervise the School Resource Officer Program and to coordinate the functions of the School Resource Officer Program with the Superintendent or designee.
  - c. The SROs shall be required to maintain minimum in-service training and certification requirements as would normally apply to all other certified officers in their assigning Agency and shall receive specific training in serving as an SRO (including but not limited to completion of the North Carolina Justice Academy's forty (40) hour School Resource Officer training course). The Agencies agree to make reasonable attempts to schedule in-service trainings to minimize the absence of their assigned SROs from school on an



instructional day.

4. Duties of the SRO.

- a. The SRO shall be responsible for investigating and responding to criminal misconduct and shall take appropriate enforcement action on criminal matters as necessary. The SRO shall, to the extent reasonable in the circumstances, advise the principal before requesting additional enforcement assistance on campus and inform the principal of any additional law enforcement responsibilities that may need to be undertaken. The SRO shall notify the principal and the Agency as soon as possible if an investigation produces evidence of danger for any individual associated with the Alamance-Burlington School System or if there is a potential for violence at any of the schools.
- b. Each SRO shall wear the uniform issued by his or her assigning Agency, shall be neat and well groomed. Each SRO shall remain highly visible and accessible to students at all times, encouraging collaboration to identify and deter any potential criminal activity, especially in areas of student gatherings and where incidents of crime or violence are most likely to occur.
- c. The SRO shall not be involved in (1) the enforcement of disciplinary rules or school regulations that do not constitute violations of the law or (2) traditional school discipline issues, including non-violent disruptive behavior. The SRO shall not be utilized for support or administrative staffing regularly assigned to school personnel such as hall monitor, substitute teacher, or cafeteria duty unless the SRO and principal determine it is necessary to maintain a safe school environment based on individual and specific circumstances. However, the SRO may act to de-escalate the situation and to protect the safety of the school where there is an immediate and substantial harm or threat of harm to the physical or psychological well-being of students or school personnel. Nothing herein is intended to preclude the SRO from being available in areas where interaction with students is expected, or from attending and serving as a witness at student disciplinary hearings if requested by school officials.
- d. The SRO shall abide by all applicable legal requirements concerning interviews or searches should it become necessary to conduct formal law enforcement interviews or searches with students or staff on property or at school functions under the jurisdiction of the Board. The SRO will not be involved in searches conducted by school personnel unless there is reasonable suspicion that a criminal act is involved or unless school personnel require the assistance of the SRO because of exigent circumstances, such as the need for safety or to prevent flight, based on the SRO's training and experience in these circumstances. Formal investigations and arrests by law enforcement officials will be conducted in accordance with applicable legal requirements. Before law enforcement officers question a student, the principal or designee should make a reasonable attempt to notify the student's parent or guardian, except in cases of suspected child abuse or child neglect involving the parent or guardian.
- e. To the extent they do not conflict with the rules, policies, regulations, general orders, and procedures of the Agency, the SRO shall comply with all laws, regulations, and school board policies applicable to employees of the Alamance-Burlington School System, including but not limited to laws, regulations and policies regarding access to confidential student records, provided that SROs shall under no circumstances be required or expected to act in a manner inconsistent with their duties as law enforcement officers.
- f. The SRO shall comply with all applicable laws, regulations, and ABSS policies, including but not limited to laws, regulations and policies regarding access to confidential student records, provided that SROs shall under no circumstances be required or expected to act in a manner inconsistent with their duties as law enforcement officers. The SRO may have access to



confidential student records or to any personally identifiable information of any ECPS student as defined in 34 CFR 99.3, only to the extent allowed under the Family Educational Rights and Privacy Act (FERPA) and applicable ABSS policies and procedures. SROs shall not automatically have access to confidential student records or personally identifiable information in those records simply because they are conducting a criminal investigation involving a student or for general non-specific purposes. School officials may, however, share relevant confidential student records and personally identifiable information contained in those records with SROs under any of the following circumstances:

- i) The SRO is acting as a “school official” (as it relates to accessing student records) as defined in 34 CFR 99.31 because he or she is exercising a function that would otherwise be performed by school personnel and has legitimate educational interests in the information to be disclosed. For example, a SRO may be authorized to review the Behavior Intervention Plan of a student with a disability if the principal or designee has requested the SRO’s assistance in deescalating physical conflicts and ensuring the physical safety of the student and others when the student becomes involved in interpersonal conflicts.
  - ii) The SRO has written consent from a parent or eligible student to review the records or information in question.
  - iii) The principal or designee reasonably determines that disclosure to the SRO without parental consent is necessary in light of a significant and articulable threat to one or more person’s health or safety.
  - iv) The disclosure is made pursuant to a valid subpoena or court order, provided that advance notice of compliance is provided to the parent or eligible student so that they may seek protective action from the court, unless the court has ordered the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
  - v) The information disclosed is “directory information” as defined by ABSS Policy 4700, and the parent or eligible student has not opted out of the disclosure of directory information.
  - vi) The disclosure is otherwise authorized under FERPA, its implementing regulations, and applicable ECPS policies and procedures.
- g. The SRO shall be a positive role model at all times and in all facets of the job, encouraging students to develop positive attitudes towards the school, education, and a positive learning environment. The SRO shall act as a facilitator of needed supports as well as a source of protection by the development of positive and supportive relationship with students, parents, staff, and others associated with the school. The SRO may hold conferences and interviews with students, parents, and staff and faculty members, in order to assist them with problems of law enforcement and crime prevention. Confidential information will be protected to the fullest extent of the law, unless the individual being conferenced or interviewed permits otherwise.
- h. The SRO may develop expertise in presenting various subjects and provide these presentations at the request of the school personnel in accordance with the established curriculum. These subjects include meeting federal and state mandates in drug abuse prevention and/or gang prevention education, trauma-responsive practices, reducing racial and ethnic disparities, adolescent development, and approaches that are required for students with mental health, behavioral, or emotional concerns who have an individualized education program (“IEP”). Notwithstanding the foregoing, the parties recognize that the Board shall maintain full, final and plenary authority over curriculum and instruction in the ABSS, including the instruction of individual students. The parties recognize and agree that the classroom instruction in ABSS is the responsibility of the classroom teacher, and the SRO



shall not attempt to control, influence, or interfere with any aspect of the school curriculum or classroom instruction except in emergency situations.

- i. The SRO may attend meetings of parent and faculty groups to solicit their support and understanding of the School Resource Officer Program and to promote awareness of law enforcement functions in the school setting.
- j. The SRO shall be familiar with all community agencies which offer programs or support to youths and their families in areas such as mental health, drug treatment, housing assistance, etc., and make referrals when appropriate.
- k. The SRO shall follow the Agency's policies and procedures on diversion and youth engagement and be familiar with available Agency diversion contacts and resources.
- l. The SRO shall confer with the principal to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school-related activities. The principal will contact any other school system personnel who should be involved in such discussions.
- m. The SRO shall, whenever possible, participate in or attend school functions, in order to assure the peaceful operation of school-related programs and to build positive relationships with students and families.
- n. The SRO shall evaluate traffic flow at the school to determine what level of control is needed and, in the absence of school administration, arrange for traffic control during specified times.
- o. The SRO shall attend in-service trainings as required by the Agency and trainings and information sessions on topics relevant to the duties of the SRO offered by or through the ABSS, so long as the scheduling of trainings offered by the ABSS does not conflict with assignments from the Agency. Trainings and information sessions offered by the ABSS shall be designed to provide additional resources relevant to the School Resource Officer program, such as the respective roles of SROs and administrators in responding to student misconduct; juvenile Miranda rules and searching juveniles at school; working with students with disabilities and special needs; student records and privacy issues; and crisis intervention, conflict resolution and mediation with youths.
- p. The SRO shall not discuss matters of school concern with anyone other than the school principal, the ABSS Superintendent, the Chief of Police or Sheriff, or their respective designees, unless otherwise authorized by the Chief of Police, Sheriff or Superintendent.

5. Duties of the ABSS and Board.

- a. The Board agrees to provide to each SRO assigned to an ABSS school:
  - i. Access to suitable accommodations at the school.
  - ii. A radio for use on campus.
  - iii. Reasonable opportunity to address students, teachers, school administrators, and parents about the School Resource Officer Program, goals and objectives. School administrators shall seek input from the SROs regarding criminal justice problems relating to students and school security issues.
- b. The Parties acknowledge that implementation and enforcement of the ABSS Code of Student Conduct is the sole responsibility of school administrators. The school administration, not the SRO, has primary responsibility for maintaining order in the school environment and for investigating and responding to school disciplinary matters. The SRO shall refer any reports or concerns relating to student discipline to the principal or designee and shall not independently investigate or administer consequences for violations of the Student Code of Conduct or any school disciplinary rules. The SRO should generally not have any further involvement in routine disciplinary matters, such as tardiness, loitering,



noncompliance, the use of inappropriate language, dress code violations, minor classroom disruptions, and disrespectful behaviors and other similar minor infractions of school rules. School officials shall only request SRO assistance when necessary to protect the physical safety of staff, students, or others in the school environment. The principal shall refrain from involving the SRO in the enforcement of disciplinary rules that do not constitute violations of law (including, but not limited to, conducting searches and interviews of students), except when necessary to protect the safety of the school where there is an immediate and substantial harm or threat of harm to the physical or psychological well-being of students or school personnel. The Board shall make teachers and other school staff aware of the distinct roles of school administration and SROs in addressing student misbehavior, consistent with this MOU. The Board acknowledges that the SRO constitutes a law enforcement presence in ABSS schools. The Board authorizes principals to report any crimes that occur on campus to the assigned SRO in compliance with all applicable state laws and Board policies that require school officials to report criminal acts occurring on school grounds to law enforcement.

- c. The Board shall not be responsible for providing benefits (including but not limited to general and law enforcement liability insurance and worker's compensation coverage), uniforms, equipment, supplies, and law enforcement training to SROs. Further, the Board shall not be responsible for coordinating work assignments of the SROs between the various campuses; ensuring SRO compliance with directives and policies of the Agencies or coordinating SRO scheduling and work hours (vacation requests, sick leave, etc.).

### **Article III Employment Status of School Resource Officers**

Each individual SRO shall remain an employee of his or her respective assigning Agency and shall not be an employee of the Board. Selection of personnel for assignment as SROs is made by the assigning Agency. Each Agency shall provide their SROs with the same type benefits, equipment, supplies, and training as that provided to their regularly employed law enforcement officers. The assigning Agency may dismiss or reassign a SRO based upon the Agency's rules, regulations, policies, general orders, and procedures and when it is in the best interest of the people of Alamance County.

In the event the school principal feels that an SRO is not effectively performing his or her duties or responsibilities and should be replaced, the principal shall submit a request in writing to the Superintendent or designee that the SRO be replaced, citing the reasons for the request. The Superintendent or designee shall review the request and, if the Superintendent or designee determines that the request has merit, shall forward the request to the Agency for consideration. Notwithstanding the foregoing, nothing in this MOU shall prohibit the Superintendent or designee from preventing the access of any individual to Board property if the Superintendent or designee determines it is in the best interest of the immediate health and safety of ABSS students.

The assigning Agency may utilize its respective SRO(s) during the designated workday for duties other than set forth herein in serious emergencies as declared by the Agency. The principal or an administrator should be informed of any planned or unplanned SRO absence from the campus. The Board agrees that it will notify the Agencies during the summer months, intersession periods (for year-round schools), on school holidays and when SROs are not needed at the assigned schools, during which periods the Board agrees the SROs may be used as the Agency deems necessary.

In the event of the resignation, dismissal, or reassignment of an SRO, the Agency shall provide a replacement for the SRO within a reasonable period of time, not to exceed sixty (60) days. During

such interim period, the Agency shall assign an alternate officer to carry out the duties of the SRO until a replacement can be secured.

The Superintendent or designee will provide feedback to the Agencies regarding the School Resource Officer Program on an annual basis for use as the Agencies see fit.

**Article IV  
Data Collection and Reporting**

Both the Agencies and the Board shall work together to ensure the proper collection and reporting of data on school-based arrests, reports, and court referrals of students, as well as referrals to diversion programs or other services in lieu of arrest or citation. This data shall be deidentified and aggregated by race, ethnicity, age, gender, school, and offense or reason for arrest or contact. Student records and personally identifiable information remain at all times subject to FERPA, and may be shared with law enforcement only consistent with the parameters described in Article II, Section IV.

These data should be collected and reviewed at least every quarter and at the completion of each school year:

- (1) At each middle school and high school by the school level by the assigned SRO and the principal at the school level; and
- (2) At the District level by the Superintendent (or designee) and the Chief of Police (or designee).

The review should focus on whether the data indicate that the mission and goals outlined in this agreement are being achieved and whether further modifications to this agreement or the SRO Program are appropriate.

**Article V  
Financing the School Resource Officer Program**

The Board agrees to enter into a separate service contract with the governing body of each individual Agency to address the assignment of SROs to specific ABSS schools and payment for SRO services during each fiscal year. The terms of any separate service contract shall not be inconsistent with the terms of this MOU. In the event of any conflict between any separate service contract regarding SRO services and the terms of this MOU, the terms of this MOU shall prevail, except that the service contract will prevail only with respect to the issue of payment for SRO services. Notwithstanding the foregoing, continuation of the School Resource Officer Program shall be contingent upon available funding from the ABSS and the Agencies.

**Article V  
Termination of Agreement**

Any party's participation in this MOU may be terminated by that party, with or without cause, upon ninety (90) days written notice to the other parties.

**Article  
VII  
Notice**

Any notice, consent or other communication in connection with this MOU shall be in writing and may be delivered in person, by mail or by facsimile transmission (provided sender confirms notice by written copy). If hand-delivered, the notice shall be effective upon delivery. If by facsimile copy, the notice



shall be effective when sent. If served by mail, the notice shall be effective three (3) business days after being deposited in the United States Postal Service by certified mail, return receipt requested, addressed appropriately to the intended recipient as follows:

If to Board:

Alamance-Burlington School System  
Attn: Superintendent  
1712 Vaughn Road  
Burlington, NC 27217-2916

If to Agencies:

**Article VII  
Miscellaneous Provisions**

1. Sex Offender Registry & Criminal Background Checks. The parties acknowledge that the requirements of G.S. 115C-332.1 apply to this MOU. Each Agency shall conduct an annual check of all sworn law enforcement officers assigned as SROs on the North Carolina Sex Offender and Public Protection Registration Program, the North Carolina Sexually Violent Predator Registration Program, and the National Sex Offender Registry. Each Agency certifies that no individual may provide services to Board under this MOU if he/she appears on any of the sex offender registries. Further, each Agency certifies that all individuals identified to provide SRO or other services pursuant to this agreement are subject to criminal background checks on a regular and ongoing basis, to maintain their certification through applicable commissions (including the NC Sheriff's Education and Training Standards Commission. The Agency certifies that individuals identified to provide SRO services or other services pursuant to this agreement have not been convicted of a felony or any other crime, whether misdemeanor or felony, that indicates the person poses a threat to the physical safety of students, school personnel or others. The Agency shall not assign any employee or agent to provide services pursuant to this Agreement if said worker has been convicted of a felony; said worker has been convicted of any crime, whether misdemeanor or felony, involving sex, violence, or drugs; or said worker has engaged in any crime or conduct indicating that the worker may pose a threat to the safety or well-being of students or school personnel. Upon request of the District, the Agency shall provide information on each of its employees who, pursuant to this Agreement, engage in any services on ABSS property or ABSS events, needed for the District to perform criminal backgrounds on any such employees. ABSS reserves the right to prohibit any individual employee of the Agency from providing services on ABSS property or at ABSS events if ABSS determines, in its sole discretion, that such employee poses a threat to the safety or well-being of students, school personnel or others.
2. Relationship of Parties. The Agencies and the Board shall be independent contractors, and nothing herein shall be construed as creating a partnership or joint venture; nor shall any employee of either party be construed as employees, agents, or principals of any other party hereto. Each Agency maintains control over its personnel and any employment rights of personnel assigned under this MOU shall not be abridged. Each party agrees to assume the liability for its own acts or omissions, or the acts or omissions of their employees or agents, during the term of this Agreement to the extent permitted under North Carolina law.



3. Governing Law; Venue. This MOU shall be governed by the laws of the State of North Carolina. The venue for initiation of any such action shall be Alamance County, North Carolina.
4. Amendments and Modifications; Additional Policies and Procedures. This MOU may be modified or amended by mutual consent of the parties as long as the amendment is executed in the same fashion as this MOU. Notwithstanding the foregoing, the parties may develop additional policies and procedures by consent to implement this MOU, including but not limited to policies and procedures regarding reporting requirements, sharing information between ABSS and the Agencies, and Agency enforcement and diversion policies. Further, each party may develop internal policies and procedures to implement their respective obligations under this MOU.
5. Entire Agreement. This MOU constitutes the entire agreement between the parties and supersedes all prior agreements and understandings, whether written or oral, relating to the subject matter of this MOU.
6. Severability. In the event that any provision of this MOU shall be invalid, illegal or otherwise unenforceable, the validity, legality and enforceability of the remaining provisions shall in no way be affected or impaired thereby.
7. Third Party Benefits. The services provided by the Agencies pursuant to this MOU shall not violate or in any way infringe on the rights of any third parties; provided, however, that nothing in this MOU shall be construed to create any right or remedy on the part of third parties.
8. Counterparts. This MOU may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together constitute one and the same instrument.
9. E-verify. All parties shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," and will provide documentation reasonably requested by the other demonstrating such compliance.

*Remainder of page intentionally left blank. Signatures follow.*

IN WITNESS THEREOF, the parties hereto hereby execute this MOU, effective this the 25th day of July, 2022.

\_\_\_\_\_  
Chair, Alamance-Burlington School System Board of Education

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superintendent, Alamance-Burlington School System

\_\_\_\_\_  
Date

*Jerry S. Johnson*  
\_\_\_\_\_  
Alamance County Sheriff's Office

*08-03-22*  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Burlington Police Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mebane Police Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Graham Police Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Haw River Police Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town of Elon Police Department

\_\_\_\_\_  
Date

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2022 as duly adopted on June 6, 2022, is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Change	Revised Budget
General Fund - Police	\$ 5,624,332	\$ 280,000	\$ 5,904,332

ARTICLE II

REVENUES	Current Budget	Change	Revised Budget
General Fund - All Other Revenues	\$ 980,785	\$ 280,000	\$ 1,260,785

This the 12th day of September, 2022.





---

## AGENDA ITEM #7

Voluntary Annexation Agreement-  
225 Honeysuckle Street

---

### Meeting Date

September 12, 2022

---

### Presenter

Lawson Brown, City Attorney

---

### Public Hearing

Yes  No

---

### Summary

Derrick Snipes and Amber Tarlton, owners of 225 Honeysuckle Street, have requested annexation into the City for the foregoing property and, by City policy have signed an annexation agreement and a petition for annexation.

---

### Background

The individual property at 225 Honeysuckle in the historic West End (where fewer than fifty percent of the immediate neighborhood have requested annexation) is currently served by City sewer services. The individual property does not have access to City general fund services being located outside the City's corporate limits. The owners desire to build a house on their individual property at that address and to avail the property of City sewer services. Per the City, Voluntary Annexation Policy, adopted June 6, 2022, (Section F, subsection 2) property owners desiring to avail themselves of utility service may apply for annexation which the City will consider on a case-by-case basis. In order to be considered for annexation under the policy, the applicants must sign an annexation application or petition and an agreement to be annexed in the future if the City desires. Generally, the City would request the individual property to be annexed if City utility services were available to the property; however, the City has the flexibility to defer the annexation of individual properties. Furthermore, the City may request annexation of the individual property, in the future, if the City determines that it is in the best interest of the City to do so. The purpose of the policy is for the City to be able to extend its corporate limits and provide municipal services on a consistent basis. In the event that the City does not desire immediate annexation of an individual property, the policy provides that the annexation agreement be recorded in the public registry to provide notice to all persons who may purchase the property in the future. If an individual property is not annexed into the City, City policy provides for the individual property owner to pay the outside-the-City rate for utility services.

---

### Financial Impact

N/A

---

### Recommendation

Staff recommends that the Council accept the petition but defer annexation provided that the owners of the property record the City's signed standard Annexation Agreement per the June 6, 2022, policy. Staff further recommends that City utility services be made available to the individual property.

---

**Suggested Motion**

I move that the City accept the petition for annexation and the Annexation Agreement for the property at 225 Honeysuckle Street but defer annexation until the future per the City's policy and upon recordation of the signed Annexation Agreement. I further move that the City allow access to the City utility services per the Voluntary Annexation Policy.

---

**Attachments**

1. Petition for Annexation
2. Annexation Agreement
3. Annexation Policy adopted by Council June 6, 2022

EXHIBIT A

STATE OF NORTH CAROLINA  
COUNTY OF Alamance

PETITION FOR ANNEXATION OF PROPERTY TO  
THE CITY OF MEBANE, NORTH CAROLINA

**PART 1.** The undersigned, being all the owners of the real property described in this application (Attachment A, hereinto "the Property") respectfully requests the annexation of said property into the City of Mebane ("City"), North Carolina. The petitioners understand and agree that all utilities within the annexed area shall be installed according to the City Ordinances and Policies and any utilities that must be extended to the annexed area are the responsibility of the undersigned or successive property owners. The property to be annexed is:

- A.        **CONTIGUOUS AND/OR INFILL** to the present corporate limits of the City, North Carolina pursuant to N.C.G.S. §160A-31 et seq., or
- B.   ✓   **NON-CONTIGUOUS** to the municipal limits of the City, North Carolina, not closer to the limits of any other municipality and is located within three (3) miles of the municipal limits of the City, North Carolina pursuant to N.C.G.S. § 160A-58.1 et seq.

The Property to be annexed is more particularly described in Attachment "A" and said Attachment "A" is expressly made a part hereof.

**PART 2.** This Petition for Annexation is made pursuant to an agreement with the City whereby the Petitioner(s) are being allowed to extend City water and/or sewer service to the described property.

**PART 3.** In consideration of said agreements, Petitioner(s) agree that this Petition for Annexation shall be irrevocable for a period of twenty-one (21) years for the date hereof, notwithstanding that all or a portion of the described properties may be conveyed to third parties. Petitioner(s) agree that any such conveyances shall be made subject to the terms of the Annexation Agreement incorporated in the deed duly executed and recorded in the county in which the property is located.

**PART 4.** North Carolina General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S. 160D-102 and 100(d) for properties subject to the petition. Do you declare vested rights for the property subject to this petition? YES        NO   ✓  .

If yes, please submit proof that vested rights have been granted by governing board.



I HEREBY DECLARE that my failure to disclose the existence of a vested right terminates any vested right previously acquired for this property.

Signed this 7<sup>th</sup> day of September, 2022, by the owners of the property described in Attachment "A".

[Signature]

Owner

Owner

[Signature]

Owner

Owner

(Corporate Name)

\_\_\_\_\_

By: \_\_\_\_\_

President

ATTEST: \_\_\_\_\_

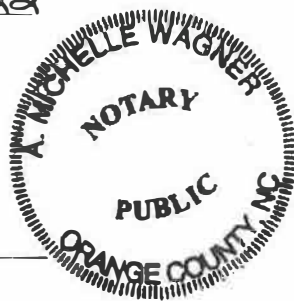
Secretary

(CORPORATE SEAL)

STATE OF NORTH CAROLINA  
COUNTY OF Orange

I, A. Michelle Wagner, a Notary Public of said County and State, hereby certify that Owner(s) Derrick Amber Snipes personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 7<sup>th</sup> day of September, 2022



A. Michelle Wagner  
Notary Public

My Commission Expires: May 1<sup>th</sup> 2025

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of said County and State, hereby certify that Owner(s) \_\_\_\_\_ personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\*\*\*\*\*

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, Notary Public of said County and State, do hereby certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he/she signed the foregoing instrument in its name on its behalf as its act.

Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\*\*\*\*\*

Received by the City Clerk of Mebane, North Carolina, this 7th day of September, 2022.

SIGNATURE OF CITY CLERK:  
\_\_\_\_\_

EXHIBIT B

NORTH CAROLINA  
COUNTY OF Alamance

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT, made this 2 day of September, 2022, by and between Amber Tarlton & Demick Snipes Property Owner(s), hereinafter referred to as "Owner(s)," and the CITY OF MEBANE, a municipal corporation of the State of North Carolina, hereinafter referred to as "City."

RECITALS:

- A. The Owner is seized of fee simple title to certain real property located outside the corporate limits of the City, identified on the attached Exhibit "A" which is incorporated by reference (herein the "Property").
- B. The Owner desires to have the City provide water and/or sewer service to the Property.
- C. The City is willing to provide water and/or sewer service to the Owner pursuant to City policies.

NOW, THEREFORE, the Owner, in consideration of the mutual covenants contained herein, hereby declares and agrees that the Property is and shall be held, transferred, sold and conveyed subject to covenants and agreements hereinafter set forth which shall run with the land and be binding on future owners.

1. The City shall provide water and/or sewer to the Owner under terms, conditions and restrictions of the North Carolina General Statutes and the City Ordinances and polices.
2. The Owner agrees and hereby covenants to annex the Property into the City at a time that shall be determined by the City Council of the City, pursuant to City Ordinances and policies.
3. The Owner agrees that, following a thirty (30) day notice from the City, the water and/or sewer service shall be terminated by the City if the Owner shall fail to perform the above covenants or agreements as they become due.
4. The Owner agrees and hereby covenants and agrees that the Property shall be annexed into the City at a time that shall be determined by the City Council. The Owner agrees that a valid petition for annexation has been executed and attached hereto as Exhibit "B" and that the said petition shall remain effective for a term of twenty-one (21) years. All subsequent owners, by the acceptance of a deed to the Property described in the petition's Attachment "B", and for the consideration of being served water and/or sewer service the subsequent owner acknowledges this equitable servitude on the



Property described in Attachment "A" and further hereby, by said acceptance, consent to and ratifies the Petition of Annexation given to the City upon execution of this Agreement.

- 5. This designation "Owner" as used herein, shall include the parties, heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by the context.

IN WITNESS WHEREOF, the Owner has hereunto set his hand and seal or if a corporation or other legal entity has caused this instrument to be signed in its entity name by its duly authorized officers or managers and its seal to be hereunto affixed by authority of its governing group, (Board of Directors) and the City, pursuant to authority duly given, has caused this instrument to be executed on its behalf by its Mayor and to be attested by its City Clerk. corporate seal hereto affixed, the day and year first above written.

\_\_\_\_\_  
Company Name

BY: \_\_\_\_\_  
President or Manager

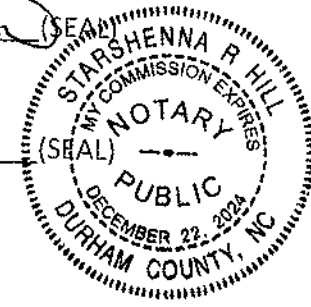
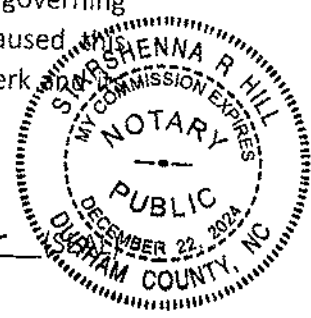
ATTEST: \_\_\_\_\_  
Secretary

(CORPORATE SEAL)

Derrick L. Snipes  
Owner

Annex N. Thornton  
Owner

\_\_\_\_\_  
Owner



CITY OF MEBANE

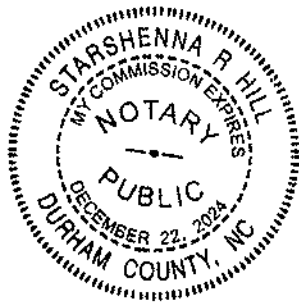
ATTEST: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Assistant City Manager

STATE OF NORTH CAROLINA  
COUNTY OF ORANGE

I, Starshenna R. Hill, a Notary Public of said County or State, hereby certify that Owner(s) Derrick L. Snipes, Annex N. Thornton personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 2 day of September, 2022



Starshenna R. Hill  
Notary Public

My Commission Expires December 22, 2024

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of said County or State, hereby certify that \_\_\_\_\_ personally came before me this day that he/she is the \_\_\_\_\_ of \_\_\_\_\_ a \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he/she signed the foregoing instrument in its name on its behalf as its act.

Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA  
ALAMANCE COUNTY

I, \_\_\_\_\_, a Notary Public of said County and State, hereby certify that \_\_\_\_\_ Assistant Manager of the City of Mebane and \_\_\_\_\_ City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

BK 4352 PG 502 - 503

As of the Date of this Certification, On the Real Property described in this Deed, there are No Delinquent Taxes Owed which are (1) ad valorem County taxes, (2) ad valorem Municipal Taxes collected by Alamance County or (3) any other taxes collected by Alamance County

Date: 06/07/2022

Deputy/Tax Collector: LW

Prepared by: Kim K. Steffan, Steffan & Associates, P.C., 2411 Old NC 86, Hillsborough, NC 27278 (No title exam performed; description taken from prior deed)  
Return to: Same

N.C. Excise Tax - \$ 0

NORTH CAROLINA

GENERAL WARRANTY DEED

ALAMANCE COUNTY

This deed, made and entered into this the 7<sup>th</sup> day of June, 2022, by and between Derrick LaRalph Snipes, hereinafter referred to as "Grantor"; and Derrick LaRalph Snipes and Amber N. Tarlton, unmarried, joint with right of survivorship, whose address is 145 Faribault Lane, Hillsborough, NC 27278, hereinafter referred to as "Grantees".

WITNESSETH:

That said Grantor, for and in consideration of valuable consideration paid to Grantor, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the Grantees in fee simple all that certain tract or parcel of land lying and being in Alamance County, North Carolina and more particularly described as follows:

PIN: 9815531865 G.P.L.N.# (572070): 9815-53-1865 | PIN: 165240

BEGINNING at the northeastern corner of Lot 13 as per plat of Property of Frank Mebane, which plat is on file in Plat Book 14, Page 59, Alamance County Registry; from said point of beginning, running along and with the northern line of said Lot 13, south 81 degrees 46 minutes west 158.7 feet to the intersection of said northern line of Lot 13 and the eastern boundary of Alberta Street; running thence along and with the eastern boundary of Alberta Street, to the southwestern corner of Tract 2 of the property described in the deed that is recorded in Book 2467, page 715, Alamance County Registry; thence along and with the southern boundary of said Tract 2, to the western boundary of Honeysuckle Street; thence along and with the western boundary of Honeysuckle Street to the place of



BEGINNING, and also being known as all of the property shown in Tax Map Book #10, Map #10, as Lot #179.

Property address is 225 Honeysuckle Street, Hillsborough, NC 27278.

The property described above was acquired by Grantor by instrument recorded in Book 4085, Page 359, Alamance County Registry.

To have and hold the aforesaid tract or parcel of land and all privileges thereunto belonging in fee simple forever.

And Grantor hereby covenants with Grantees that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to all recorded exceptions, including the restrictive covenants recorded in Book 339, pages 49-50, Alamance County Registry.

Title to the property described above is subject to ad valorem taxes for the current year and easements and restrictive covenants of record, if any.

The designation Grantor and Grantee as used herein shall include the parties hereto, their heirs, successors, assigns and legal and/or personal representatives.

In Testimony Whereof, said Grantor has hereunto set his hand and seal, the day and year first above written.

Derrick LaRalph Snipes (SEAL)  
Derrick LaRalph Snipes

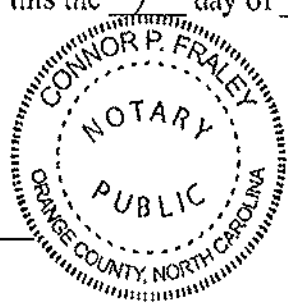
NORTH CAROLINA  
Orange COUNTY

I, Connor P. Fraley, Notary Public of said County, do hereby certify that Derrick LaRalph Snipes, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 7<sup>th</sup> day of June, 2022.

CPF  
NOTARY PUBLIC

My commission expires: 10/14/2025





# CITY of MEBANE

<b>POLICY STATEMENT</b>	
<b>SUBJECT: Voluntary Annexation Policy</b>	PAGE 1 OF 5
	EFFECTIVE: June 6, 2022
	SUPERSEDES: Previous Annexation Policies
	PREPARED BY: Chris Rollins, City Manager
	ADOPTED BY COUNCIL: DATE: June 6, 2022

**BACKGROUND INFORMATION:** The City regularly receives requests from developers and individual property owners requesting voluntary annexation into the City of Mebane corporate limits. This general policy addresses voluntary annexation only and the statutory authority is defined within North Carolina General Statutes 160A (Article 4 Corporate Limits and Article 4A, Extension of Corporate Limits).

GENERAL POLICY STATEMENT:

The intent of the policy is to provide a mechanism by which the City can plan and extend its corporate limits and municipal services provided to citizens residing within said corporate limits in an efficient and effective matter via voluntary annexation. This will allow long range planning via various other municipal mechanisms and policies to allow an orderly extension of City services. To the extent that this policy conflicts with any other related policies of the City, this policy shall be controlling as it supersedes existing policies. It also complies with statutory and judicial opinions for municipal service requirements.

Typically, voluntary annexation occurs when a party desires to obtain access to City general services and/or utility service(s). For the purpose of this policy, and per NC General Statutes related to voluntary annexation, it is assumed that the party is either requesting some level of the referenced City services and is submitting a voluntary annexation petition to obtain access to general fund services (for example – garbage collection, but not use of parks & recreation services) and/or utility service(s) as defined via the City Water and Wastewater System Extension and Connection Policies. Similar to the City Water and Wastewater System Extension and Connection Policies – General Policy Statement C – “The City Council has the right to approve or deny proposed

connection or extension to its water or wastewater system based on the City's best interest", this policy details further that the City Council has the right to accept or deny voluntary annexation and/or require property owners to enter into a written agreement with the City for voluntary annexation at such future date as the City Council determines that it is in the best interest of the City and the City can provide a majority of consistent city services to the property. The petition for annexation of property to the City is attached hereto as Exhibit A.

A. CONTIGUOUS AND/OR INFILL VOLUNTARY ANNEXATION WITH PROPERTY SUBDIVISION:

1. It is the intent of the City of Mebane to require voluntary annexation for contiguous and infill properties seeking the referenced City services. Contiguous is defined as sharing a common boundary composed of more than just a survey stake connection. Infill is defined as sharing a common boundary composed of two or more common boundaries.
2. City staff must determine that a majority of consistent city services can be provided.
3. Building permits can be issued once City Council votes to receive the annexation petition and other City requirements have been fulfilled.

B. CONTIGUOUS AND/OR INFILL VOLUNTARY ANNEXATION WITHOUT PROPERTY SUBDIVISION:

1. It is the intent of the City of Mebane to require voluntary annexation for contiguous and infill properties seeking the referenced City services. Contiguous is defined as sharing a common boundary composed of more than just a survey stake connection. Infill is defined as sharing a common boundary composed of two or more common boundaries.
2. City staff must determine that a majority of consistent city services can be provided.
3. Building permits can be issued once City Council votes to receive the annexation petition and other City requirements have been fulfilled.
4. If determined acceptable for voluntary annexation recording via County Register of Deeds Office, the presently recorded metes & bounds are acceptable to meet voluntary annexation petition requirements in lieu of updated surveys for same said properties (without property subdivision). Annexation plats are required to be submitted as dictated in North Carolina General Statute 47-30

C. NONCONTIGUOUS VOLUNTARY ANNEXATION WITH PROPERTY SUBDIVISION:

1. It is the intent of the City of Mebane to require voluntary annexation for noncontiguous properties that will be subdivided seeking the referenced city services. Noncontiguous is defined as not sharing a common boundary composed of more than just a survey stake



connection. Subdivision or subdivided is defined as a property that has been or will be subdivided into one or more properties consistent with the City's Unified Development Ordinance.

2. City staff must determine that a majority of consistent city services can be provided.
3. Building permits can be issued once City Council votes to receive the annexation petition and other City requirements have been fulfilled.

#### D. NONCONTIGUOUS VOLUNTARY ANNEXATION WITHOUT PROPERTY SUBDIVISION:

1. It is the intent of the City to require voluntary annexation for noncontiguous properties that will not be subdivided if a majority of consistent city services can be provided efficiently and effectively. Noncontiguous is defined as not sharing a common boundary composed of more than just a survey stake connection. Subdivision or subdivided is defined as a property that has been or will be subdivided into one or more properties consistent with the City's Unified Development Ordinance.
2. City staff must determine that a majority of consistent city services can be provided.
3. If determined a majority of consistent City services cannot be provided and the definitions of D(1) are met, the City Manager will recommend if any City services should be offered without immediate voluntary annexation and require the property owner(s) to enter into a written agreement with the City for annexation as such future date as the City Council determines that it is in the best interest of the City and the City can provide a majority of consistent city services to the property.
  - a. This written agreement will be required to be added as a property deed restriction to ensure it is binding for future action.
    - i. See Section F of this policy.
  - b. Building permits can be issued once City Council votes to receive the referenced written agreement regarding future voluntary annexation is recorded in general and included as a property deed restriction.
4. If determined acceptable for voluntary annexation recording via County Register of Deeds Office, the presently recorded metes and bounds are acceptable to meet voluntary annexation petition requirements in lieu of updated surveys for same said properties (without property subdivision). Annexation plats are required to be submitted as allowed in North Carolina General Statue 47-30

E. NON-CITY APPROVED/HISTORICALLY SUBDIVIED NEIGHBORHOODS VOLUNTARY ANNEXATION WITHOUT PROPERTY SUBDIVISION:

1. It is the intent of the City to only require voluntary annexation for existing neighborhoods not previously approved by the City or those where the neighborhood creation pre-dates their inclusion within the City jurisdiction when either the majority of the total properties located within the neighborhood or the majority of the residents within the neighborhood submit documented requests/interests in voluntary annexation. Majority is defined as 50% plus to ensure city services can be efficiently and effectively provided.
2. This section does not apply to throughfare (US/NC routes and major City collector routes) frontage properties/sites.
3. Properties within neighborhoods not meeting the majority definition for voluntary annexation and desiring connection to utility municipal service are referred to Section F of this policy.

F. REQUIREMENT OF PROPETY OWNERS TO ENTER INTO A WRITTEN AGREEMENT WITH THE CITY FOR ANNEXATION AS SUCH FUTURE DATE AS THE CITY COUNCIL DETERMINES THAT IS IN THE BEST INTEREST OF THE CITY AND THE CITY CAN PROVIDE A MAJORITY OF CONSISTENT CITY SERVICES TO THE PROPERTY.

1. It is the intent of the City of Mebane to require property owners connecting to water and/or sewer connection services to request either immediate voluntary annexation or enter into a written agreement with the City for annexation as such future dates as the City Council determines that is in the best interest of the City.
2. The City Manager will make a recommendation to City Council to not require immediate voluntary annexation in situations where it is determined a majority of consistent City services cannot be provided to the property(s), neighborhood, and recommends immediate connection to City water and/or sewer after said written agreement is recorded (in general and as property deed restriction).
3. The written agreement with the City for annexation as such future date as the City Council determines shall be recorded in general and as a property deed restriction upon said and/or all property deeds to ensure it is binding for future action.
4. The property and customers will be charged outside City utility rates until annexed into the City corporate limits.
5. Building permits can be issued once the written agreement has been recorded in the Registry and as a property deed restriction and other City requirements have been fulfilled.

- a. Exhibit B attached to this policy provides a template for the written agreement. The City Attorney is authorized to adjust this template as it is recognized it will require updates and changes.

#### G. COMMUNITY DEVELOPMENT PROJECTS

1. Similar to the City Water and Wastewater System Extension and Connection Policies – General Policy Statement F (1) – regarding “Certain community development projects are exempt from assessment provisions”, this policy details further to the City Council the right to not require voluntary annexation related to certain community development projects.
2. The City Manager will provide a recommendation to City Council regarding community development project exemptions.



---

## AGENDA ITEM #8

Main Street Memorandum of Understanding (MOU) between the City of Mebane and Downtown Mebane Development Corporation (DMDC) Inc.

---

### Meeting Date

September 12, 2022

---

### Presenter

Lawson Brown, City Attorney  
Preston Mitchell, Assistant City Manager  
Dan Shannon, DMDC Inc. President

---

### Public Hearing

Yes  No

---

### Summary

The Council will consider the approval of an MOU between the City of Mebane and DMDC for the operation of the City Main Street Program.

---

### Background

The City of Mebane is working to achieve full Main Street designation with the State of NC Main Street Program on July 1, 2023. This designation will be chartered to the City of Mebane and thereby under the control of the Mebane Governing Body. The current FY 22-23 is serving as a transition year towards achieving full designation. As part of the adoption of the FY 22-23 budget, the Mebane Downtown Steering Committee was to serve as a provisional board until an independent group was incorporated. The Mebane Model Main Street format has seen the Downtown Mebane Development Corporation now become incorporated and is pursuing its 501(c)3 status. This has allowed the proposed MOU to be presented for City Council's consideration.

---

### Financial Impact

\$100,000 was appropriated within the current FY 22-23 budget to fund the Mebane Main Street program and endeavors.

---

### Recommendation

Staff recommends the adoption of the MOU after determining the length of said MOU.

---

### Suggested Motion

I make a motion to adopt of the MOU between the City of Mebane and Downtown Mebane Development Corporation (DMDC) Inc. for \_\_\_\_\_ number of years beginning on July 1, 2023, with the current FY 22-23 serving as the transition year to full Main Street designation.

---

### Attachments

1. MOU

## MEMORANDUM OF UNDERSTANDING

### Counties of Alamance and Orange

### North Carolina

THIS MEMORANDUM OF UNDERSTANDING (the “MOU”) is entered into on the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the following parties (the “Parties”):

The Parties are the City of Mebane, hereinafter referred to as “City”, 106 East Washington Street Mebane, NC 27302 and the Downtown Mebane Development Corporation, hereinafter referred to as “DMDC”.

#### RECITALS

- A. DMDC was formed pursuant to the actions of the governing board of the City for the purpose of having a participating entity in the State of North Carolina Main Street Program. This action was taken at various meeting of the City Council, the last such meeting resulting in action, resulting in a resolution, dated \_\_\_\_\_, copy of which is attached hereto and incorporated herein by reference (“Resolution”).
- B. As required by the laws, regulations and rules of the State Main Street Program, DMDC, in order to maintain its status under the State Main Street Program, the parties must overserve and comply with the same.
- C. City has agreed to provide annual funding to DMDC pursuant and subject to the terms of this MOU.
- D. The parties desire to memorialize this agreement by this MOU.
- E. DMDC will achieve annual accreditation status from the State Main Street Program.
- F. City agrees to provide annual funding to DMDC in the amount of one hundred thousand dollars (\$100,000), such payment to be made on a quarterly basis. City’s obligation to fund the program on an annual basis is subject to the governing board of the City including the annual funding in the City’s annual budget, which decision is made on an annual basis, and for the purpose of this MOU, is completely discretionary with the City.
- G. City’s obligations are contingent upon the foregoing annual funding decisions, DMDC remining in good standing as a State Main Street Program, remaining in good standing as a non-profit corporation with the North Carolina Secretary of State, the North Carolina Department of Revenue, and the United States Treasury Department.

H. DMDC will prepare and submit to the City an annual audit (financial).

I. The contract is for \_\_\_\_\_ years beginning on July 1, 2023, with FY 22-23 serving as the transition year to achieve full State Main Street designation (on July 1, 2023).

The Purposes of this Memorandum of Understanding are the following:

1. Express the Parties' mutual understanding regarding roles and responsibilities of managing the Main Street program.
2. Express the Parties' mutual understanding regarding priority activities, tasks, and decisions to be achieved in managing the Main Street program.
3. Express the Parties' mutual intention to work in good faith to further the redevelopment of downtown, to spur economic development in the context of historic preservation, in accordance with Main Street America™ as administered by NC Department of Commerce, NC Main Street & Rural Planning Center.

#### PRIORITY GOALS AND TASKS

The Parties have identified the following as priority goals and tasks for the redevelopment of downtown through the management of their Main Street program:

- a. Develop a strategic economic development plan to guide redevelopment.
- b. Implement the strategic plan through the Main Street America™ Four-Point Approach to downtown revitalization.
- c. Create a positive image for downtown that spurs investment, business and residential development, jobs and volunteerism.
- d. Identify and convey practical, valuable, and implemental tools for downtown economic development.

#### WITNESSETH THAT

That for and in consideration of the mutual promises and conditions set forth below and other valuable consideration, the receipt and sufficiency of which are acknowledged, the City and the Nonprofit agree to the following:

1. Duties of the Nonprofit: The Nonprofit agrees to:

- A. Bring the resources of the City, the Nonprofit and the downtown community together, with the understanding that the Nonprofit's role is to meet the economic positioning/vision of "Historic downtown Mebane, one of the fastest growing municipalities in North Carolina, is the hub for regional leisurely and recreational



activities. Downtown serves as the center for community engagement and is rich with diverse small businesses, nightlife, and dining options for a positively charming experience”.

- B. Partner with the City to meet the annual requirements as outlined in the NC Main Street Annual Agreement.
- C. Partner with the City and provide resources and information that may be pertinent in carrying out its charge.
- D. Provide a quarterly report to the City on the Nonprofit’s downtown revitalization activities.
- E. Utilize the Main Street<sup>®</sup> philosophy to partner with the City in the development of a strategic economic development plan for downtown and an implementation workplan based on the Main Street America<sup>™</sup> Four Point Approach<sup>®</sup> to Downtown Revitalization that includes: Economic Vitality, Design, Promotion and Organization, for downtown Mebane, in order to enhance and preserve its status as a North Carolina Main Street community.
- F. NC Main Street and Main Street America artwork must appear on the Main Street website and can be used in other media as well as stipulated in the brand guidelines. Artwork will be provided by NC Main Street upon receipt of the signed MOU between NC Main Street and local Main Street program.

- a. Economic Vitality

- i. Create and maintain a comprehensive **downtown property** inventory database including building images, owner contact information, building condition, past-current-potential uses, etc.
- ii. Create and maintain a comprehensive **downtown business** and use inventory database including business owner contact information, goods and services and hours of operation, etc.
- iii. Partner with the City to develop and implement incentives to spur investment, business and residential development and to create jobs.
- iv. Partner with the City to develop and conduct survey of downtown stakeholders to determine what would better facilitate business development in downtown.
- v. Create a business retention, expansion and recruitment program.
- vi. In partnership with the City, measure the impact of the Main Street program and maintain impact and tax base data to demonstrate benchmarks.

- b. Design

- i. In partnership with the City, develop design guidelines for downtown, and promote the value of, and educate property owners on, appropriate design improvements for a historic downtown business district.
- ii. Provide aid and resources to business and property owners during any type of business disruptions.
- iii. Assist City as needed with public physical improvement projects.
- iv. Provide guidance to the City for its façade improvement assistance to downtown business and property owners through the NC Main Street & Rural Planning Center.

- c. Promotion
    - i. Partner with the City to establish a brand for downtown.
    - ii. Work with downtown stakeholders to develop and implement retail promotion activities.
    - iii. Develop and manage downtown events to take place in downtown Mebane.
    - iv. Develop and maintain a comprehensive marketing campaign for downtown.
    - v. Promote downtown as a mixed-use center of activity.
  - d. Organization
    - i. Maintain a viable Nonprofit in accordance to the organization's articles of incorporation as filed with the Secretary of State.
    - ii. Maintain a viable organization composed of the main stakeholders for the downtown community.
    - iii. Maintain a Board of Directors in accordance with the Nonprofit bylaws.
    - iv. Partner with the City to ensure the completion of the annual program assessment in accordance with the NC Main Street Annual Agreement.
    - v. Partner with the City to ensure the completion of the annual program statistics in accordance with the NC Main Street Annual Agreement.
    - vi. Develop and coordinate opportunities to spur volunteerism for downtown and to become involved in the downtown revitalization efforts.
    - vii. Attend NC Main Street trainings in accordance with the NC Main Street Annual Agreement.
2. City Funding: DMDC must prepare and submit to the City an annual audited income and financial statement in form and substance satisfactory to City by October 30<sup>th</sup> of each year.
- A. City agrees to provide annual funding to DMDC in the amount of one hundred thousand dollars (\$100,000), such payment to be made on a quarterly basis. City's obligation to fund the program on an annual basis is subject to the governing board of the City including the annual funding in the City's annual budget, which decision is made on an annual basis, and for the purpose of this MOU, is completely discretionary with the City.
    - i. City's obligations are contingent upon the foregoing annual funding decisions, DMDC remaining in good standing as a State Main Street Program, remaining in good standing as a non-profit corporation with the North Carolina Secretary of State, the North Carolina Department of Revenue, the United States Treasury Department, and DMDC.
3. Invoices: The City shall pay the Nonprofit within 30 days of receipt of a valid invoice. Invoice includes funds from the Municipal Service District that the Nonprofit uses for operations and programming or as agreed upon by the City and the Nonprofit.
4. Amendments: This Agreement may be amended, in writing, by mutual agreement of the City and the Nonprofit.

5. Termination: The term of this MOU is for a period of \_\_\_\_\_ years from the effective date of this agreement and may be extended upon written mutual agreement. It shall be reviewed at least annually to ensure that it is fulfilling its purpose and to make any necessary revisions. Either organization may terminate this MOU upon ninety (90) days written notice without penalties or liabilities.
6. Non-Discrimination: In matters of employment, provision of services and contracting, the Nonprofit agrees to act without regard to race, color, sex, religion, age, national origin, sexual orientation or handicapped status.
7. IN WITNESS WHEREOF, the parties hereunto cause this agreement to be executed in their respective names.

**DOWNTOWN MEBAND DEVELOPMENT CORPORATION**

By: \_\_\_\_\_  
SIGNATURE – Chairperson

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
TITLE

**CITY OF MEBANE**

\_\_\_\_\_  
MAYOR/CITY MANAGER

ATTEST BY CITY CLERK:

\_\_\_\_\_  
CITY CLERK

TOWN SEAL

CITY CLERK attests date this the \_\_\_\_ day of \_\_\_\_\_, 2022.

Approved as to Form and Authorization

\_\_\_\_\_  
CITY ATTORNEY



This instrument as been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

---

FINANCE DIRECTOR



## INFORMATIONAL ITEM #9

### US-70 Multimodal Corridor Study

#### Meeting Date

September 12, 2022

#### Presenter

Ashley Ownbey, Interim Development Director

Nishith Trivedi, Orange County Transportation Planner

#### Public Hearing

Yes  No

#### Summary

The US-70 regional corridor continues to experience significant residential and employment growth -- the population of Mebane has doubled in the last decade and Mebane, Orange County and Hillsborough have already approved several thousand new residential units that will have an impact on the corridor, scheduled for completion in the next few years. In addition, low-income and minority populations are concentrated along various segments of the corridor, especially between Hillsborough and Mebane. The US 70 Multimodal Corridor Study will create a much-needed transportation plan for a fast growth corridor, and ensure a unified, coherent process for the two counties, two municipalities and two MPOs that have planning authority in the area. VHB has been selected as the consultant for the US-70 Multimodal Corridor Study.

#### Background

The study area for the US 70 Multimodal Corridor Study spans from the NC 119 Bypass in Alamance County to US 751 in Orange County. The process will be facilitated by consultants from VHB and a Core Technical Team (CTT) that includes one staff member from Mebane, Hillsborough, Orange County, DCHC MPO, BGMPO, and NCDOT Division 7. The CTT will meet monthly throughout the duration of the study. The study will include an analysis of existing conditions, public engagement with outreach to environmental justice communities, development of performance standards and implementation strategies, and drafting of a final plan. Two rounds of public workshops will occur in Mebane, Hillsborough, and Orange County. The study began in July/August 2022 and is expected to end in November/December 2023.

#### Financial Impact

DCHC MPO is funding the study. The study's budget is \$200,000.

#### Recommendation

This item is presented as information.

#### Attachments

1. US 70 Multimodal Corridor Study Presentation Slides

# US-70 Multimodal Corridor Study



# Outline

- US-70 Corridor
- Scope Elements
- Schedule, Budget & Timeframe



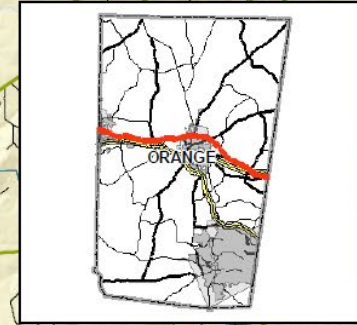
# US-70 Corridor

Study Boundary

Source:  
NCDOT Crash Data  
2009-2019

**NC 119 By-Pass  
Recommended  
by Mebane**

**NC 751  
Recommended  
by DCHC MPO**



**Legend**

- US 70
- TRM Scenario US-70 Widen
- Regional Freight Plan
- Route Class
  - Strategic Freight Corridor
  - Truck Routes

**Crashes Severity**

- Fatal
- Serious Injury
- Minor Injury

**2013 SE**

- 2045 SE
- 2025 Highway
- 2035 Highway
- 2045 Highway
- 2025 Transit
- 2035 Transit
- 2045 Transit

1 inch = 1 miles

0 0.25 0.5 1 Miles

Orange County Planning and Inspections  
Nishith Trivedi (1/25/2020)

Crashes	#
Fatal	10
Serious Injury	14
Minor Injury	116
<b>Total</b>	<b>1,406</b>

# Scope Elements

- Coordination with Core Technical Team (CTT)
  - One staff member each from Mebane, Hillsborough, Orange County, DCHC MPO, BG MPO, and NCDOT Division 7.
  - Meets monthly throughout the duration of the study.
- Existing Conditions Analysis
  - Land use, TRM, local priorities, environmental, all modes, current and future trends, etc.
  - Alternatives evaluation (no build, context sensitive solution, ultimate vision)
  - All currently adopted local and regional plan, program, studies, etc.
    - Including those during the study (e.g. Orange County Transit Plan)
- Public Engagement and Environmental Justice (EJ)
  - Public Engagement Plan with comprehensive list of stakeholders
  - Reaching out to EJ communities of concern along the corridor
  - 2 round of public workshops in Mebane, Hillsborough and Orange County



# Scope Elements

- Performance Standards and Implementation Strategies
  - The performance standards will serve as benchmarks against which requests for development and transportation improvements can be measured.
  - The strategies will consist of recommendations along the various segments of the corridor.
  - Identify short-term (non-STIP), mid-term and long-term projects with cross-sections, lighting and landscaping
- Draft and Final Plan
  - Incorporate into CTP, MTP, SPOT, STIP
  - Local and regional implementation responsibilities.
  - Consultant will present final plan to local boards and MPOs for their consideration, with assistance from local staff

# Schedule, Budget, Timeframe

Start – July/August 2022

End – November/December 2023

**Budget: \$200,000**

Project: 18 months – 2 Fiscal Year UPWPs



# Contact & Questions

**Nishith Trivedi**

Transportation Director

Orange County Transportation Services

600 NC 86

Hillsborough, NC 27278

Phone: (919) 245-2007

[ntrivedi@orangecountync.gov](mailto:ntrivedi@orangecountync.gov)

## Mebane Fire Dept. Monthly Report

	July	Year to Date	% Change from 2021
<b>Structural Response</b>			
<b>Totals</b>	<b>38</b>	<b>216</b>	<b>8%</b>
<b>Average Personnel Per Response</b>	<b>10</b>	<b>11</b>	
<b>Average Volunteer Response</b>	<b>2</b>	<b>2</b>	
<b>Non Structural Responses</b>			
<b>Totals</b>	<b>60</b>	<b>460</b>	<b>8%</b>
<b>Total Fire Response</b>	<b>98</b>	<b>676</b>	<b>6%</b>
<b>Location (Year to Date)</b>	<b>North</b>	<b>South</b>	
<b>Total Number/Percentage</b>	<b>355/53%</b>	<b>321/47%</b>	
<b>Average Fire Response Time</b>	<b>North 5:09</b>	<b>South 5:32</b>	
<b>Percentage of Calls Inside City</b>	<b>61%</b>	<b>57%</b>	
<b>Percentage of Calls Outside City</b>	<b>26%</b>	<b>30%</b>	
<b>Percentage of Calls for Mutual Aid</b>	<b>13%</b>	<b>13%</b>	
<b>EMT Response</b>	<b>167</b>	<b>1227</b>	<b>17%</b>
<b>Location (Year to Date)</b>	<b>North</b>	<b>South</b>	
<b>Total Number/ Percentage</b>	<b>578/47%</b>	<b>649/53%</b>	
<b>CPS Seats Checked</b>	<b>12</b>	<b>107</b>	
<b>Smoke Alarms Checked/Installed</b>	<b>14</b>	<b>72</b>	
<b>Station Tours/Programs</b>	<b>3</b>	<b>24</b>	
<b># of Participants</b>	<b>69</b>	<b>923</b>	
<b>Events Conducted/Attended</b>	<b>3</b>	<b>13</b>	
<b>Views on Fire Safety Facebook Posts</b>	<b>0</b>	<b>560</b>	



The Planning Board meeting was held at the Glendel Stephenson Municipal Building located at 106 E. Washington Street, Mebane, NC 27302 and livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/watch?v=LeKdqvXUgdM>

**Members Present:**

Edward Tulauskas, Chair  
Judy Taylor, Vice Chair  
Jason VanBuren  
Gale Pettiford  
Susan Semonite

William Chapman  
Kurt Pearson  
Keith Hoover  
Larry Teague

**City Staff Present:**

Ashley Ownbey, Interim Development Director  
Audrey Vogel, Planner

Kirk Montgomery, IT Director

**1. Call to Order**

At 6:30 p.m. Chairman Tulauskas called the meeting to order.

**2. Approval of July 18, 2022, Meeting Minutes**

Judy Taylor made a motion to approve the meeting minutes. Susan Semonite seconded the motion which passed unanimously.

**3. City Council Actions Update**

Ashley Ownbey, Interim Development Director, provided an update on the City Council's recent action at the August City Council meeting

**4. Request to establish LM (CD) zoning on the +/- 73.978-acre parcel (identified by Parcel Identification Number 9844452283) located on West Ten Road outside of the Mebane Extra-Territorial Jurisdiction (ETJ) in Orange County to allow for a light-industrial development including two warehouse buildings by Williams Development Group.**

Williams Development Group is requesting to establish LM (CD) zoning on the +/- 73.978-acre parcel (identified by Parcel Identification Number 9844452283) located on West Ten Road outside of the Mebane Extra-Territorial Jurisdiction (ETJ) in Orange County to allow for a light-industrial development including two warehouse buildings. Proposed onsite amenities are detailed in the meeting agenda packet available [here](#). Annexation will be required before the City Council can hold a public hearing to take zoning action. The applicant has the property under contract to purchase, contingent upon approval of the conditional rezoning. The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval. The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments

Audrey Vogel provided an overview and PowerPoint presentation of the request.



The following individuals attended the meeting to represent the zoning request:

- Taylor Williams – Williams Development Group, applicant
- Josh Reinke – Ramey Kemp Associates, traffic consultant
- Tim Summerville – Stewart, civil engineer
- Michael Fox – Tuggle Duggins, attorney

Michael Fox introduced the applicant team in attendance and presented the purpose of the zoning request. He noted that the proposed Mebane zoning is not different from the existing zoning in Orange County and fits in to the Buckhorn Economic Development District. Mr. Fox also discussed the neighborhood outreach for the project including a zoom call and various phone with neighbors. He cited the primary concerns as traffic, buffers, and stormwater. Mr. Fox also discussed conversations with Orange County Schools, noting that the County is going to perform a traffic study to manage existing traffic conditions and future growth for the Gravelly Hill Middle School down the street.

Taylor Williams provided information about Williams Development group and elaborated on the proposed development, site plan, and traffic impact analysis (TIA).

Susan Semonite asked if schools were remote when the TIA was completed in December 2021. It was confirmed that students returned to the classroom for the full year in 2021.

Kurt Pearson asked for more information about the buffer required between the two sites. Tim Summerville responded that by subdividing the property into two parcels the UDO requires a 20' type c buffer and the applicant has proposed to provide these plantings elsewhere on site to provide screening from the outside.

Jason VanBuren asked when Orange County Schools would complete the aforementioned traffic study. Michael Fox answered that the timeframe has yet to be determined.

Larry Teague asked if they were able to estimate the time of day for most truck traffic without having building tenants determined yet. Taylor Williams responded that it is difficult to speculate, but typically warehouses have lower peak trip generation because the shifts tend to operate on a 24-hour clock. Traffic consultant Josh Reinke added that the trip generation manual used for the TIA is based on land use type, and the warehouse use does not tend to overlap with peak traffic.

Judy Taylor asked if a service road has ever been considered to serve these properties along West Ten Rd. Josh Reinke responded that this has not been discussed or considered to the best of his knowledge. Ms. Taylor asked if any improvements would be necessary at the Mt. Willing interchange. Mr. Reinke answered that per the TIA, the development would not have a significant impact on the interchange and per NCDOT's review it would not need monitoring for signalization.

Susan Semonite questioned if the road needed to be widened to accommodate truck traffic. Josh Reinke answered that the road along the property's frontage would be widened to accommodate





the required turn lanes, however it would not be widened anywhere else.

Tom Boney of the Alamance News asked for clarification on the trip generation table presented from the TIA. Josh Reinke explained that the ITE Trip Generation manual determines generation assumptions/estimates based on studies of sites across the country. The generation is not based on number of employees, it is based on building size. He explained that the weekday AM and PM peaks on the screen is the “worst case” traffic in the morning and evening. He added that the ITE manual does not do a break down specifically for truck traffic. Truck traffic is typically spread out throughout the day as opposed to concentrated during peaks.

Mr. Boney asked if the applicant had an idea of if the company would do speculative or build-to-suit type of development. Taylor Williams answered that it was yet to be determined, however they would like to identify an occupant prior to vertical construction.

Tom Boney asked about the current and projected projects included in the traffic analysis. Per Josh Reinke the following projects were considered in the TIA:

- Project titanium - completed ABB industrial site in Mebane, northwest of the site
- Medline – the medical supply distribution facility, west of the site
- West Ten Industrial and Buckhorn Business Center, Al. Neyer light industrial developments west of the site
- Bowman Road subdivisions – single family residential development in Mebane west of the site
- Efland Industrial – 2021 TIA for industrial space north of the site

Chairman Tulauskas invited the public to speak and ask questions.

Beth Bronson, 1221 Buckhorn Rd, read aloud written comments on behalf of her neighbor Fiona Johan , 5016 Johann Ln:

Good evening to the planning board and in person attendees. I am sorry I could not attend this meeting but hope that my review of the agenda packet ahead of tonight’s meeting along with my questions provide a useful viewpoint from a rural resident.

I want to start by showing my appreciation for the 100’ buffers automatically put into this site plan from Al Neyer. I recognize that this is double the 50’ requirement in the UDO and as many of you know something I fought hard for on the 6016 West Ten Property. **I will again push that the developer and the planning board consider a slightly higher buffer of 150’, at the very least on property lines that touch rural residential housing.** I can personally attest to the disturbance that building in this area brings not only to the people, but the animals. The noise pollution alone, every day from 7am to 10pm, is enough to discourage opening your own window on a beautiful day instead of running an HVAC system.

My second concern is the traffic. I see from the traffic impact analysis that there are some added lanes that the developer plans to put in at entrances on West Ten and Buckhorn. They



seem to meet the minimum required by the TIA. **If I were a direct neighbor of this property, I would ask whose property those road expansions impact and if this is something that eminent domain automatically takes care of or if those property owners get a say about what happens to their road front property.**

Another traffic concern for those of us not directly next door to this site is the general increase of tractor trailer traffic. It is already happening to me multiple times a week that tractor trailers coming out of the truck stop are pulling in front of oncoming traffic causing the need for extreme braking. I have spoken to other neighbors and they have experienced the same thing. This is an already unsafe situation that I worry will get worse with more tractor trailers on the road.

**As I stated with the 6016 West Ten rezoning I am aware that the Buckhorn Business Center does lay within the planned Buckhorn Economic Development District. Therefore, I will not object to this project outright but I truly hope that any plans that meet approval of the planning board take the local traffic into consideration.** As stated above tractor trailers entering Buckhorn are already a concern and we have not even seen the effects of Medline and 6016 West Ten tractor trailer traffic. **I see the TIA recommend “monitoring” which is appreciated but I truly feel it is a bit lackluster if the city’s plans are to continue to encourage industrial development in the BEDD.** If we also factor in the new housing developments that are creeping east on Bowman Rd we are in for a significant increase in traffic at the Buckhorn interchange and I hope that we can act a bit more proactively instead of waiting for something bad to happen.

It is truly heartbreaking to see the agricultural land around me turning into an industrial area. I ask you as someone who understands the city’s need for growth to continue to consider those of us in this area that moved here specifically for the rural feel.

I will continue to tune in via YouTube and speak up when I am concerned. I appreciate all the planning board does and recognize that balancing the needs of developers and local rural residents is a tricky one, thank you for your time and consideration.

Sincerely,  
Fiona Johann

Beth Bronson also shared her own concerns about the impact large industrial facilities have on the existing rural residential character of the area in addition to the new higher density single family residential and townhomes popping up on Bowman Road. Ms. Bronson shared disappointment and fear that the approval of more industrial projects in the area will “set in stone” more industrial development in the primarily residential area. She added that truck traffic is already an issue and will continue to get worse, noting the development is a faster pace than the NCDOT funded improvements for the Buckhorn interchange area.

Craig Lloyd, 3103 US 70 W, explained that he is a long-time Orange County and Efland resident and is working on a park project across the street from the subject property. Mr. Lloyd shared that while



Efland will be impacted by growth in the area, it is a good corridor for economic development and employment growth. He shared his support of the project.

Kurt Pearson commented that he liked the fact the property is already zoned for light industrial in the Orange County EBD-2 district which was put together with extensive studies and cooperation with the County in the past. He added that the property is just outside the G-2 primary growth area. He also commented that the one waiver request is reasonable, and it makes sense to add to the buffers along the outside of the property. He also noted that the applicant has shown a willingness to listen to the people around them and the improvements to the roadways seem to be well-studied. He concluded that the project would be good for the area.

Kurt Pearson made a motion to approve the request as follows:

*Motion to **approve** the LM(CD) zoning as presented; and*

*Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan Mebane By Design. Specifically, the request:*

- *Is for a property within the City's G-4 Secondary Growth Area (Mebane CLP, p.66);*
- *Serves Mebane CLP Growth Management Goal 1.7 through the support [of] industrial development at existing industrial parks near I-40/85 (pp.17, 59 & 82)*

Keith Hoover seconded the motion which passed unanimously. Mr. Tulauskas confirmed that the request would be scheduled for a public hearing before the Mebane City Council on September 12<sup>th</sup>.

## 5. New Business

The following new business items were shared with the Board:

- Staff is working on scheduling a Planning Board basics training
- There is a community meeting on Wednesday August 17<sup>th</sup> to kick off engagement for our recreation and parks master plan and our update to the bicycle and pedestrian transportation plan

Kurt Pearson asked if the Kingsdown conditional rezoning request would need to come back to Planning Board prior to advancing to City Council public hearing. Ashley Ownbey responded that as of now it would not need to come back to Planning Board because changes made to the proposed development reduce the intensity of the project and do not significantly impact the site plan layout. She elaborated on these changes noting that they are in the August City Council agenda packet.

## 6. Adjournment

Chairman Tulauskas adjourned the meeting at 7:20 p.m.